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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 499th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 16 October 1995, at 10 a.m.

Temporary Chairman: Mr. KAMAL (Pakistan)

Chairman: Mr. LARSEN (Denmark)

CONTENTS

OPENING OF THE SESSION

STATEMENT BY THE OUTGOING CHAIRMAN

ELECTION OF OFFICERS

STATEMENT BY THE CHAIRMAN

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS

GENERAL DEBATE

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The meeting was called to order at 10.35 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda)

1. The TEMPORARY CHAIRMAN declared open the forty-sixth session of the Executive Committee.

STATEMENT BY THE OUTGOING CHAIRMAN

2. The TEMPORARY CHAIRMAN, speaking as outgoing Chairman of the forty-fifth session, said that several positive developments could be noted in the current refugee situation, since solutions to long-standing refugee problems were being reached in the cases of Angola and Liberia. The international community had, moreover, not been confronted by major new refugee crises in 1955. The positive aspects were, however, clouded by certain persistent crises that posed some of the most complex assistance and protection challenges faced by UNHCR, notably the situation in Yugoslavia and in the Great Lakes region (Rwanda, Burundi and Zaire).

3. The fundamental challenge of recent refugee crises was how to bring about the sustainable reintegration of refugees in their country of origin. Major tasks facing UNHCR were the repatriation of Afghan refugees from neighbouring countries and, in Africa, the repatriation of almost 2 million Rwandan refugees. UNHCR might also soon be called upon to oversee repatriation and reintegration in the difficult circumstances of the former Yugoslavia. The protection and assistance aspects of reintegration in post-conflict situations should remain a primary concern for the members of the Executive Committee.

4. Viewing the United Nations from the vantage point of New York could be conducive to developing a broader perspective on the issues confronting the Organization. It was faced with an acute financial crisis in which some major contributors were defaulting on their assessed contributions and appeared to be making their payments contingent on the radical reform and restructuring of an organization which they viewed as bloated and inefficient.

5. It might be asked whether the necessary reform should be forced by depriving the United Nations of funds. Similarly, at what stage would the Organization be told that it was a suitably reformed entity and merited payments to which it was legally entitled? The overall trend was clear; the financial crisis of the United Nations would not end soon.

6. That situation had serious implications for agencies like UNHCR, which would sooner or later face a significant decline in resources. Efforts would have to be made to preempt criticism by taking steps to increase efficiency, while UNHCR's achievements and indispensability in a troubled world would have to be brought out more vigorously.

7. UNHCR's efficiency could be enhanced first of all if it abided by a cardinal principle of good management, that of comparative advantage. It should continue to concentrate on the tasks it performed best while certain functions could be usefully subcontracted to non-governmental organizations working in the same areas. Secondly, it should make use of the tools of the twentieth century to increase productivity through increased investments in

computer-based information technologies and an emphasis on staffing by persons adept at using them in order to improve the flow of information between Headquarters, field operations and national Governments. The results, in terms of quicker decision-making and decreased costs of field operations, could be dramatic.

8. Serious thought was also required on the conceptual underpinnings of assistance for refugee crises, which were bound to increase in the coming years. The solution lay in resolving the factors that led to refugee movements rather than concentrating on palliative assistance. Foremost among those factors were disputes that could erupt into full-blown conflicts, which, although the international community generally had time to resolve them, were allowed to fester, with tragic results. While UNHCR could not have a direct role in settling those disputes, it could prompt the international community to take action and, more specifically, identify conflict situations which might lead to refugee crises and urge the United Nations to take measures to prevent them.

9. Other factors in refugee crises - poverty, environmental degradation famines and epidemics - needed to be tackled head on. Common to those factors was the larger question of development. The international community should implement its commitments to ensure the development of peoples in all regions of the world and UNHCR should play an active role in informing the international community of the linkages between underdevelopment and refugee crises. Progress in dealing with the root causes of the movement of refugees would ensure that the international community would not repeatedly be faced with the endless reproach of not having done enough.

ELECTION OF OFFICERS (item 2 of the provisional agenda)

10. The TEMPORARY CHAIRMAN invited the members of the Committee to nominate candidates for the office of Chairman.

11. Mr. SPIEGEL (United States of America) nominated Mr. Larsen (Denmark).

12. Mr. ENDO (Japan) and Mr. ALGABSHAWI (Sudan) seconded the nomination.

13. Mr. Larsen (Denmark) was elected Chairman by acclamation.

14. The TEMPORARY CHAIRMAN invited the members of the Committee to nominate candidates for the office of Vice-Chairman.

15. Mr. YIMER (Ethiopia) nominated Mr. Mchumo (United Republic of Tanzania).

16. Mr. WILLIAMS (United Kingdom) and Mr. RAO (India) seconded the nomination.

17. Mr. Mchumo (United Republic of Tanzania) was elected Vice-Chairman by acclamation.

18. The TEMPORARY CHAIRMAN invited the members of the Committee to nominate candidates for the office of Rapporteur.

19. Ms. BAUTISTA (Philippines) nominated Mr. Chinwanno (Thailand).

20. Mr. HOFSTEE (Netherlands) seconded the nomination.

21. Mr. Chinwanno (Thailand) was elected Rapporteur by acclamation.

22. Mr. Larsen (Denmark) took the chair.

STATEMENT BY THE CHAIRMAN

23. The CHAIRMAN said that, during the past year, there had been a widening of the already too numerous situations of man-made conflicts leading to ever larger numbers of refugees, displaced persons and others in need of help. According to UNHCR's figures, the total number of persons of concern to the organization had reached 27.4 million at the end of 1994 and had continued to increase despite the fact that it had been possible to reverse the trend in many countries and to initiate voluntary repatriation for many thousands of refugees. In many parts of the world, however, endeavours to help refugees go back to their countries of origin had produced only feeble results. Worse than that, violent conflicts had developed or increased, for example, in the Great Lakes region and in the former Yugoslavia, with millions of new refugees and displaced persons. All of that underlined the very heavy tasks facing UNHCR, but also the need for decisions and support on the part of the international community at large - and not least on the part of the Executive Committee.

24. Referring to the issue of international protection and to the Note contained in document A/AC.96/850 he said that one of the pertinent issues was how far beyond the 1951 Convention, the 1967 Protocol and existing regional conventions Member States would be prepared to go to ensure the effective international protection of refugees. While most countries were positive when it came to pragmatic and flexible approaches, it seemed less clear to what extent agreement would be possible on establishing guiding principles to enhance the objective of protection above and beyond legal obligations. In any case, UNHCR had made it clear that it would continue to promote and encourage the positive regional development of standards in conformity with international instruments.

25. A second protection issue was the burden on many first-asylum countries hosting large refugee populations. While conventions and regional instruments obliged host countries to receive refugees, their capacity was under very heavy strain in situations of mass influx of refugees and, so far, international solidarity and support for those countries had not been sufficient. UNHCR had rightly underlined that many low-income developing countries, whose resources were already strained, faced destabilizing social and economic effects from a sudden mass influx of refugees. Projects aimed essentially at preparing or improving a host country's economic or social infrastructure to help it cope with the presence of refugees should, as a rule, be handled by UNDP and other development organizations. Sufficient funding and assistance had, however, not been forthcoming in that respect. Those issues and efforts to seek solutions were relevant and urgent for UNHCR and the Executive Committee.

26. A third issue of concern to the Executive Committee was the staggering number of internally displaced persons in their countries of origin and the efforts and problems relating to voluntary repatriation, reintegration and reconstruction. UNHCR had the leading role and responsibility in repatriation and reintegration, a responsibility which would be relevant when it became possible to repatriate and reintegrate refugees from the former Yugoslavia, for example. UNHCR was also being called upon to provide assistance to certain groups of the many millions of internally displaced people around the world. While that was right and necessary in situations of conflict and when it came to reconciliation and reintegration of displaced persons elsewhere in their country, other organizations, within and outside the United Nations, must gradually take over lead agency responsibilities from UNHCR in the reintegration and reconstruction phases, something which was not currently the case. In that connection, it was relevant to mention resolution 1995/56 adopted by the Economic and Social Council in July 1995 on the question of the strengthening of the coordination of emergency humanitarian assistance of the United Nations, which urged the governing bodies of the appropriate agencies to review in the coming two years their respective roles and responsibilities in the various phases of humanitarian assistance. That request was, of course, also addressed to the Executive Committee of UNHCR.

27. When discussing the role of UNHCR, the increased demands on the organization and the problems of responsibilities of other organizations, it might be asked whether UNHCR would soon be overextending its capacities and capabilities; whether, with even more numerous activities, it could continue to count on the necessary funding from donor countries; and whether, with constantly growing responsibilities, it could continue to perform as ably and effectively as it had done so far.

28. He foresaw an enhanced role for the Executive Committee, partly because of the increased crisis situations of concern to UNHCR, but also because of the Committee's expected endorsement of the recommendations and conclusions adopted by the Sub-Committee on Administrative and Financial Matters on Executive Committee working methods (EC/SC.2/76) and on its informal consultations on budgetary questions (EC/SC.2/75 and Corr.1). Some of the innovations that would lead to an enhanced role for the Executive Committee and its planned new Standing Committee were that the latter would be authorized to take various decisions hitherto reserved for the Executive Committee. Furthermore, the agendas of the annual sessions of the Executive Committee would be reformed to ensure more focused policy discussion and effective decision-making and there would be a focused annual theme for debate at each session, selected by the Standing Committee well in advance.

29. The conclusions of the consultations on budgetary questions provided the High Commissioner with the necessary flexibility to respond effectively to needs and also, in a limited way, made it possible, on approval by the Executive Committee, to enhance that flexibility through increases in and extended use of the resources and allocations for voluntary repatriation established within the General Programmes. Of similar importance were the various conclusions which increased the Executive Committee's possibilities of exercising governance and oversight and which provided for regular and more in-depth reviews of General and Special Programmes at inter-sessional meetings of the Committee. That was in line with the appeals by many member States for

greater transparency, accountability and oversight. The implementation of the recommendations and conclusions by the Sub-Committee on Administrative and Financial Matters would lead to progress and enhanced efficiency both for UNHCR and for the Executive Committee.

GENERAL DEBATE (agenda item 4)

30. Mrs. OGATA (United Nations High Commissioner for Refugees) extended a special welcome to the delegations of Bangladesh, India and the Russian Federation, which were present in the Executive Committee for the first time. She also welcomed the special guest of the Executive Committee, Salim A. Salim, Secretary-General of the Organization of African Unity (OAU), whose presence attested to the close cooperation which the OAU and UNHCR had enjoyed for more than a quarter of a century and was also indicative of the importance of Africa to the work of her Office. Africa hosted more refugees and internally displaced persons than any other continent and was also the scene of voluntary repatriation. Of the nearly 2 million refugees who had returned home in 1994, 1.5 million were in Africa. Out of 18 planned repatriations in 1996, 9 were foreseen in Africa. She counted on the OAU's conflict resolution mechanism and its leadership to help create and maintain the momentum of the voluntary repatriation of refugees.

31. UNHCR had been confronted with massive emergencies every year since 1991, when she had become High Commissioner. In recent weeks, almost half a million people had been displaced by war and violence in the former Yugoslavia. In a world in which war deliberately targeted civilians and peace failed to bring security, UNHCR's dual mandate of international protection and solutions had been severely tested during the past year in almost every region. In the aftermath of the emergency in the Great Lakes region of Africa, UNHCR had sought to respond to the strong pressure for early return, while continuing to take care of 2 million refugees and remaining vigilant to new risks of displacement. In Angola, it had launched an operation to assist some 311,000 refugees to return home by mid-1997. In the Sudan, it had embarked on voluntary repatriation to Eritrea and Ethiopia. In West Africa, it had tried to nurture solutions. In contrast, in South-East Asia, Central America, Tajikistan and Mozambique, where solutions had taken root successfully, it had grappled with ways to phase down or move out. In the Middle East, it had been encouraged by the evolution of peace and remained ready to play its role in line with its mandate and in cooperation with other organizations. Elsewhere, the picture had been mixed. In Afghanistan, renewed violence had set back the flow of repatriation. In the former Yugoslavia, peace talks had offered the first glimmer of hope in months, although she feared that, in the short term, there could be more displacement as people were forced to move to accommodate territorial adjustments.

32. The thrust of those various developments had been to put the issue of solutions and, more precisely, repatriation, even higher on UNHCR's agenda. One important statistic showed the extent to which it had shifted from a bias towards exile to a focus on the country of origin. Of the 27.4 million persons currently of concern to UNHCR, only about 14.5 million were refugees.

The rest included 4 million returnees, 5.4 million internally displaced persons and 3.5 million civilians affected by conflict. Almost half of the population of concern to UNHCR was thus to be found within their own country.

33. While the number of refugees had declined, the numbers and categories of those in need of international protection and assistance were in fact expanding. They illustrated the fact that the pursuit of solutions without regard to protection would not go far and that international protection was a more complex task than merely assuring asylum. The two arms of her mandate were fundamentally linked. The objective of protection must be not to perpetuate exile, but to encourage solutions. If solutions were not approached from the perspective of protection - if they failed to protect the basic human rights of individuals - then they would be neither effective nor permanent. Extending from flight through exile to return and reintegration, protection principles provided the over-arching framework for the prevention and solution of refugee problems.

34. Regarding UNHCR's efforts to develop a new paradigm of protection oriented towards solutions, she asked how UNHCR could seize the political impulse for solutions while retaining the humanitarian imperative for protection. What were the prospects and the possibilities which inspired it and the dilemmas and difficulties confronting it? Externally, what were the partnerships it must cultivate? Internally, what were the management priorities and structures it must establish?

35. One of the most difficult problems UNHCR had had to face in recent years had been the decline of asylum, even on a temporary basis. Many countries were openly admitting their weariness with large numbers of refugees and blatantly closing borders. Others were more insidiously introducing laws and procedures that effectively denied admission to their territory. The year 1995 had been particularly significant in that developments in the Great Lakes region had demonstrated that even the proverbial African generosity towards refugees had become strained. The threat to asylum had taken on a global character, affecting both the developing and the developed world. International protection reflected the convergence of humanitarian and political interests. In many circumstances, asylum was not only the most powerful tool of protection, but also the most pragmatic, especially when provided on a temporary basis. That was why UNHCR had requested Governments to provide temporary protection to those fleeing the conflict in the former Yugoslavia and had urged them to continue it for the time being. The possibility of temporary asylum encouraged a phased and orderly approach to repatriation, thereby assuring greater stability for peace and progress in the country of origin. She called on the Committee to support UNHCR's endeavours to ensure respect for the institution of asylum, at least on a temporary basis, for those fleeing persecution, conflict and civil strife. The decline of asylum could not be arrested simply by appealing to the generosity of States, however. It must be addressed by action to enable countries to receive refugees and by initiatives to find solutions to refugee problems and, where possible, to prevent the outbreak of new crises.

36. Peoples and Governments around the world had shown and continued to show remarkable hospitality to millions of refugees, despite their own political, social, economic and environmental constraints. The costs of hosting large

numbers of refugees were not always measurable in monetary terms. UNHCR's refugee assistance did not redress the collateral impact of refugees on the host countries. If Governments were to continue to grant asylum, greater attention must be given by the international community to addressing the concerns of affected host communities and strengthening their capacity and willingness to cope with population movements.

37. One area that had attracted attention in recent years was the environmental damage caused by large concentrations of refugee populations. In the light of those concerns, UNHCR was proposing a reformulation of its environmental policy in order to make the environmental dimension an integral part of its operations. Nor could the security implications of large-scale refugee outflows be ignored, as they underscored both the decline of asylum and the drive towards solutions. Insecurity in refugee camps was a matter not only of law and order, but also of maintaining the civilian character of the camps, which was a fundamental principle of international protection. Although the primary obligation lay with the authorities granting asylum, UNHCR would do whatever it could within its mandate and in line with its expertise to help ensure respect for the principle, including seeking the relocation of camps if necessary.

38. Increased assistance to host countries alone, however, would not meet the demands of maintaining asylum. Whether in South-East Asia or Central Africa, the Caribbean or the Balkans, the universal reality was that protection abroad could not be assured without a parallel effort to find solutions at home. As refugees grew more impatient to return home, as Governments became more reluctant to grant asylum and donors found other calls on their purses, how long could the world wait for solutions to materialize? What were the parameters of UNHCR's mandate to promote solutions and what were the challenges it faced in pursuing them? Anti-personnel mines were a major obstacle to return and she was therefore disappointed that the Review Conference of States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held in Vienna from 25 September to 13 October 1995, had failed to make progress on that issue.

39. For UNHCR, the challenge of solutions lay in seizing the opportunities while remaining alert to the dangers, in ensuring that protection principles, and not political expediency, guided the pursuit of humanitarian solutions. Working closely with political and peace-keeping operations, for instance in Rwanda, Liberia, Bosnia and Herzegovina and the Commonwealth of Independent States (CIS), it had sought to inject humanitarian concerns into the political discourse and to reinforce its capacity to carry out its protection and assistance activities. The partnership had been fruitful, but obviously the humanitarian and strategic objectives had not always coincided. The relationship, particularly with the military, had at times created pressures on its humanitarian mandate. In some cases, such as Angola and Tajikistan, UNHCR had reaped the benefits of its cooperation. In other cases, such as the Caucasus, humanitarian solutions had become hostage to the lack of progress and parallel political negotiations, although she believed the agency was playing a meaningful role in the subregion by assisting displaced populations.

The situation of Bhutanese refugees in Nepal continued to suffer from a stalemate, while repatriation to Afghanistan had stalled, prolonging the refugee burden of the Islamic Republic of Iran and Pakistan. Fresh strategies were needed to break the impasse.

40. Protection needs did not disappear when people repatriated; on the contrary, they tended to resurface in more complex forms in the country of origin, as the problem of the internally displaced had shown. That had given UNHCR's protection responsibilities a new dimension and had led it to interpret its mandate for solutions in a protection-oriented, but pro-active manner. Just as it no longer waited for refugees to cross the border, but was increasingly involved with the internally displaced in order to avert outflow, it could no longer passively wait for conditions to change so that refugees could volunteer to return. Instead, it must work actively to create the conditions conducive to their safe return. It was therefore important that the protection debate should move on from interpreting voluntary repatriation solely in terms of the expression of individual will to the creation of conditions of safety - in the refugee camps, in the reception centres and in the home areas.

41. Rwanda illustrated the dilemmas of that approach, but also the way in which UNHCR had sought to overcome them. It was clear that, in the longer term, the answer in the Great Lakes region lay in a comprehensive political solution. In the short term, however, she believed that progress on humanitarian issues through voluntary and safe return could contribute to the political process, while easing the humanitarian crisis. Although she had been disappointed at the failure to implement the Bujumbura Plan of Action adopted jointly by UNHCR and the OAU in February 1995, she believed that her recent mission, followed by the convening of the Tripartite Commission in Geneva in late September 1995, had helped to create a momentum towards voluntary repatriation. Zaire had made clear its intention to deal with those who blocked repatriation. Rwanda, for its part, had unequivocally recognized the right of the refugees to return and had expressed its commitment to improve the reception and security of returnees, including full access for international monitoring. It would clearly reassure the camp population if the Rwandese Government were to define the different levels of responsibility in the 1994 genocide and examine specific measures in response to lower levels of responsibility. She had been encouraged by the Government's declared intention to proceed along those lines.

42. In the former Yugoslavia, assisting the victims had never been an end in itself as far as UNHCR was concerned. Its goal was and remained to help them return safely to their homes or to find new homes for those for whom return was not feasible. She had recently reiterated UNHCR's willingness to promote the organized return of refugees and displaced persons, in keeping with its role as the United Nations lead humanitarian agency and in cooperation with its sister organizations. At the same time, she had stressed the importance of including humanitarian issues in the peace negotiations. People must not be used as pawns to further military and political interests; all returns must respect internationally accepted principles. The continued gross violations of human rights, ethnic cleansing and forcible return of refugees and

displaced persons underlined the importance of a firm commitment by all parties to human rights and humanitarian principles and of international monitoring to ensure their compliance.

43. International presence in the country of origin was an important confidence-building measure, both for returnees and for the internally displaced. It had been instrumental in persuading the refugees to return from Bangladesh to Myanmar. More than 200,000 refugees had returned home so far and she hoped that the remaining 50,000 would repatriate over the course of the coming months, allowing UNHCR to phase down in Bangladesh while maintaining its presence in the areas of origin in Myanmar until reintegration had been completed. Another example was Tajikistan, where UNHCR's mobile monitoring teams had helped to stabilize the areas of origin and encouraged the vast majority of the refugees and displaced persons to return home safely. UNHCR had closed the operation recently, successfully handing over the human rights aspects to the Organization on Security and Cooperation in Europe (OSCE) and the rehabilitation issues to the United Nations Development Programme (UNDP) and other development actors.

44. She welcomed the important operational role of United Nations human rights monitors as part of the collaborative effort to create safe conditions in countries such as Rwanda, El Salvador and Guatemala. However, the recent killing of returnees in Guatemala had underscored the difficulties of ensuring safety in the country of origin. She had noted the prompt action by the Government to prevent recurrences. Obviously, the success of a pro-active, solution-oriented approach was directly proportionate to the political commitment of the Governments concerned.

45. Viable solutions demanded that efforts to safeguard human rights should be parallelled by endeavours to rehabilitate socio-economic conditions. UNHCR had relied on the model of small, community-based "quick impact" projects to spark rehabilitation in situations as varied as Mozambique and Myanmar, Sri Lanka and Central America. Just as it had collaborated with political actors to ensure that humanitarian concerns were injected in the peace process, it had cooperated with development organizations such as UNDP and financial institutions such as the World Bank to incorporate its reintegration efforts into larger rehabilitation and development plans. However, as UNHCR tried to phase down in Mozambique, the challenge was to ensure that others would have a stake in the reintegration process and would continue once UNHCR had left. To further that goal, UNHCR was embarking on a consultative process with the World Bank to identify concrete strategies for specific countries.

46. At a time when development assistance was shrinking and humanitarian needs were expanding, a "third window" for financing emergency rehabilitation activities was needed. That would allow donors to channel resources from both humanitarian and development funds and enable organizations, whether humanitarian or development, to utilize them. In that way, both immediate rehabilitation and longer-term reconstruction needs could be addressed in the recovery process. The issue of resources was critical when it came to post-conflict rebuilding. It was therefore tragic that UNHCR's programme in Mozambique was among those most strapped for cash. Nothing was more critical,

however, than the funding shortfall of US$ 50 million for the Rwanda Burundi Emergency Operation, which left UNHCR with very little flexibility to adapt either to increased repatriation or to potential exodus.

47. The overall level of financial contributions to UNHCR for 1995 had nevertheless been impressive, totalling US$ 757 million, of which $296 million was for General Programmes. That was roughly equivalent to the pledges made at the same time in 1994. As UNHCR's total budget reached US$ 1.3 billion for the second consecutive year, she was the first to appreciate the enormity of the demands it continued to make on its donors, large and small.

48. The gap between expanding needs and limited resources highlighted the importance of a search for an effective strategy of prevention. In an effort to promote such an approach, UNHCR had moved towards greater involvement with the internally displaced, particularly in the CIS region. Within the framework of an inter-agency effort based on a clear division of responsibilities, it had successfully responded to the emergency needs of those displaced from the Chechen Republic of the Russian Federation during the past year. Having boosted the local response capacity, UNHCR was now gradually phasing down its activities. True prevention meant strengthening the will and capacity of Governments to pre-empt the reasons that forced people to move. That was the underlying thrust of UNHCR's efforts in the CIS and the neighbouring countries, where it had embarked on an ambitious project to draw up a regional action plan to deal with past, present and potential displacement. Further to General Assembly resolution 49/173 of 23 December 1994, UNHCR, together with the International Organization for Migration (IOM) and the Office for Democratic Institutions and Human Rights of the OSCE, had organized several subregional meetings in preparation for the regional conference, hopefully to be held in mid-1996. The process was proving to be invaluable in developing a regional strategy to avert population displacement in a part of the world marked by ethnic tensions.

49. The challenge of prevention, as of solution, was ultimately protection. Early international presence could sometimes have a preventive impact, as had been UNHCR's experience in Tajikistan. However, in order to break the pattern of coerced displacement, the security of States must presuppose the security of people within those States. A major test for the coming decades would be to develop a humanitarian perspective of security. While UNHCR, with its limited mandate and resources, could make a modest contribution to that process, the primary responsibility for prevention, as for security, was clearly a political one.

50. The future of the United Nations would inevitably affect UNHCR, so UNHCR must prepare for a vigorous reappraisal of how it worked. For the coming year, four priorities should be set. First, protection policies and strategies must be revitalized, reflecting the dimension of solutions and responding to the needs of a growing range of beneficiaries. UNHCR was often being compelled to provide refuge in the midst of conflict and to promote repatriation in the midst of insecurity. How could protection strategies be reformulated to take account of those realities? How could UNHCR better help States, whether of asylum or origin, to meet their obligations in the light of those constraints? As a first step, UNHCR was setting up an internal working group to look at the problems in Africa; it hoped to undertake a similar

exercise also for Europe. Given the dominance of the domestic agenda in many countries, mobilizing public opinion as a tool of protection would be an important element of the strategy.

51. Secondly, UNHCR needed to rethink the way it planned. The dynamics of displacement today required a comprehensive and integrated planning approach - comprehensive in covering the sequence of refugee flows from prevention to emergency response to solutions, and integrated in bringing together the entire spectrum of issues and actors. Planning for partnership was vital. Given the multiplicity of organizations and agencies on the humanitarian scene today, UNHCR's objective was to increase the predictability of action for mutual support and thereby create a better basis for cooperation and coordination. It had strengthened its dialogue with the political and peace-keeping arms of the United Nations, cooperating with the Department of Humanitarian Affairs (DHA) and with the International Committee of the Red Cross (ICRC) and IOM in their respective areas. It had refined the concept of service packages with Governments, had further developed its operational agreement with the World Food Programme (WFP) and had signed a Memorandum of Understanding with the United Nations Fund for Population Activities (UNFPA). She would also be signing an agreement with the United Nations Children's Fund (UNICEF) when she visited New York in November 1995. As for UNHCR's closest partners, the non-governmental organizations (NGOs), it was following up on the Partnership in Action (PARinAC) recommendations at the field level. The increasingly important role of regional organizations in peace-making had added a new dimension to UNHCR's partnership strategy, as had the growing interests of institutions such as the World Bank in refugee and returnee issues.

52. Thirdly, UNHCR must reinforce the proper implementation and monitoring of its policies, guidelines and programmes, which included its ability to monitor and control its implementing partners and was an important priority for the coming year. One area where the gap between policy and action had constantly attracted the Committee's attention was that of refugee women. UNHCR was introducing a number of specific measures to increase action and accountability, including additional resources for the field and stronger follow-up mechanisms at headquarters. Furthermore, she had decided to reform UNHCR's recruitment policies to give priority to women professional staff in order to try to reach parity by the year 2000.

53. Fourthly, UNHCR must restructure the way in which it worked so as to improve its delivery, accountability and performance and must build a capacity to contract and expand in response to operational demands. She had taken a number of steps to achieve that goal, including strengthening the top management. In an emergency-driven organization such as UNHCR, innovation could easily lapse into improvisation in the absence of a policy planning framework. That was why she had decided in 1994 to appoint a Director for Policy Planning and Operations and was currently requesting the creation of a post of Assistant High Commissioner at the Assistant Secretary-General level, to which she hoped the Committee would agree. Overseeing the Regional Bureaux, policy development and external relations and supported by a revamped research and information capacity drawn from existing resources, the Assistant High Commissioner would act as the fulcrum for an integrated approach to policy, planning and operations within UNHCR.

54. She had requested the Deputy High Commissioner to lead a management review of UNHCR's priorities, procedures and personnel in order to ascertain how best to improve delivery and increase productivity while reducing costs. Although the ratio of administrative costs between the field and headquarters had actually declined, UNHCR's expanding operations world wide had pushed its budget and staff to unsustainable levels. Initiatives to streamline management, increase delegation to the field and better utilize resources included preparing an information and communications system plan that would take UNHCR into the twenty-first century. She hoped that one important result of all those initiatives would be the down-sizing of headquarters and the redeployment or reduction of staff in the field, based on improved forward planning and prioritization. As new operations opened up, UNHCR must phase down elsewhere. It expected dramatic reductions in South-East Asia in 1996 and the comprehensive Plan of Action was in its final phase. However, some transitional arrangements might still be necessary to ensure the smooth conversion of the operation into a migration programme. The reform of UNHCR's human resources management, particularly the implementation of the management system and strengthening of staff training, remained high on her agenda. While retaining the core of its principles and the thrust of its strategy, UNHCR must continuously revitalize the way it thought and review the way it worked. Its goal was to be a slimmer, trimmer organization, responsive to emergency needs, aggressive in the search for solutions and committed to protection.

55. Mr. LEBEDEV (Russian Federation) thanked the High Commissioner for the warm greetings she had extended to his country on its accession to membership of the Executive Committee. The Russian Federation regarded the support given by a majority of countries for its candidacy as a sign of their confidence in its ability to help UNHCR discharge its mandate.

56. The Russian Federation shared UNHCR's commitment to providing protection and assistance to the world's refugees and undertook to assist UNHCR in carrying out its trying humanitarian task, which it frequently performed in complex circumstances. The Russian Federation recognized that new challenges arising from refugee flows threatened the implementation of UNHCR's strategy. It would assume its commitments under the 1951 Convention and under its own domestic legislation in order to implement that strategy multidimensionally.

57. His country appreciated the major role UNHCR was playing, in conjunction with IOM and OSCE, in solving the problems of refugees and other displaced persons in specific countries in transition. The process of addressing those issues would be a valuable experience and the Russian Federation was prepared to engage in further cooperation to streamline the international community's common policy and develop practical plans for the effective handling of handling of regional refugee crises.

58. Mr. SALIM (Secretary-General of the Organization of African Unity) said it was no accident that Africa had the greatest number of refugees and displaced persons in the world, but the result of economic and other factors that had created unstable security environments which had led to mass displacements and refugees. The origin, age and gender of African refugees made them particularly vulnerable to the scourges that beset refugees and meant that they were sometimes the victims of irresponsible elements in the

asylum countries, of rigid local Government regulations and even of relief agencies. Those circumstances, which had made UNHCR's work in Africa even more complex, required the strengthening of its protection mission. The full cooperation of receiving countries had to be secured in order to ensure the physical safety of refugees and their basic right of asylum, together with their right to non-forcible return to their countries of origin. Refugees themselves were under an obligation to conduct themselves in a manner consistent with their status in order to achieve the necessary balance between the rights and obligations of refugees and receiving communities.

84. The provision of food and of health and other facilities had to be both adequate and timely and should take account not only of the refugees' needs, but also those of recipient countries. Countries of asylum had continued to make huge sacrifices in order to meet the basic needs of refugees, despite the tremendous pressure caused by their arrival. In recent years, however, there had been disturbing signs of misunderstanding and tension between refugees and local populations and authorities which had sometimes degenerated into serious incidents that raised problems of security and posed a serious challenge to host countries and to the international community. Steps should be taken to prevent those tensions from escalating further in order to avoid eroding the very fabric of Africa's tradition of hospitality and brotherhood.

85. Ecological destruction and environmental degradation were among the consequences of the presence of refugees and displaced persons and they caused enormous long-term problems. In addition, hosting refugees meant sharing the scarce resources available for the local population and that could create enormous social and economic pressures within host communities. Serious consideration should be given by UNHCR and the international community to ways of ensuring that that burden was shared more equitably. A mutually supportive relationship should be developed between refugees and local communities and the benefits extended to refugees should also extend to the local population so as to promote mutual assistance, cooperation and trust. More resources in the form of food, medicines and money for infrastructure development should be made available to sustain refugee populations in their areas of settlement and prevent them from moving into areas where the local population lived.

86. If refugees in Africa were the most numerous, they were also often the least provided for. The level and rapidity of response to refugee emergencies in Africa had to be made comparable to those in the rest of the world in order to avoid giving the impression that standards of humanitarian relief and response levels were applied selectively to the detriment of African refugee emergencies.

87. The refugee crisis in the Great Lakes region of Central Africa was of monumental proportions not only in terms of numbers, but also in terms of the underlying political difficulties. Zaire and Tanzania, respectively, hosted 1.5 million and 700 000 mainly innocent refugees, and that placed a heavy burden on the local communities. However, even a modest programme of voluntary repatriation was impossible as long as the refugees were subjected to the propaganda, manipulation and violence of the political and armed elements among them. Accordingly, it was important to provide relief and to separate the innocent from those who held them captive in order to allow those willing to return home to do so. The Government of Rwanda also had a

responsibility to do everything possible to create favourable conditions so that the refugees might return without fear and to provide for their resettlement and rehabilitation, a task it would be unable to assume without adequate and timely assistance from the international community.

63. In Africa, Governments had taken their responsibilities arising from the international conventions protecting refugees quite seriously, sometimes at great social and economic cost to their own peoples, who had been willing to welcome refugees and to share with them their food, facilities and even land. However, the seemingly permanent presence of the refugees and the mounting economic problems in asylum countries were placing a heavy strain on the sense of generosity and sacrifice. It was no longer possible to take African generosity for granted and countries such as Zaire and Tanzania required an understanding of the enormity of the problems they faced, together with additional assistance, in order to stop the spread of compassion fatigue among their own peoples.

64. The Organization of African Unity was working within the framework of the Plan of Action of the Bujumbura Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes region and acknowledged that the refugee crisis in that region was partly a result of political conflict. It therefore recognized the need to link protection for refugees with efforts to address the underlying political problems. Rwanda needed the international community's full support to get back on its feet after the 1994 genocide and reconcile its people. Ensuring that the International Tribunal for Rwanda rapidly became operational would make it possible to satisfy the need of the victims of genocide for justice and allow the refugees to return to their country voluntarily. In Burundi, too, a political settlement and confidence-building were inextricably linked to the repatriation and resettlement of refugees and to national reconstruction.

65. After years of devastation by war, the beginnings of a return to peace and stability were visible in Angola and Liberia. Those countries' citizens who were scattered in exile needed assistance not only to return home, but also in the early stages of resettlement and even during the reconstruction stage. Although UNHCR perhaps lacked a mandate to go beyond protection and repatriation, the strong linkage between successful repatriation and sound resettlement and reconstruction policies was increasingly apparent. The need to accept a more dynamic interpretation of UNHCR's mandate had been emphasized by the limited security role it had assumed in the Rwandan refugee camps in Zaire. Although that role was no substitute for a more robust role for the United Nations and, in particular, the Security Council, UNHCR had demonstrated that, where need was compelling, some adjustments in mandate were necessary. In his view it was now evident that UNHCR had to go beyond repatriation and concern itself with resettlement and reconstruction as a means of ensuring that refugees did not drift back to their erstwhile countries of asylum.

66. The Organization of African Unity was concerned that the problems of displaced persons had not attracted the requisite attention from the international community, since their suffering was no different from, and

occasionally worse, than that of refugees. There was an imperative need urgently to consider extending the same benefits of relief and humanitarian assistance given to refugees to the millions of internally displaced persons.

67. However, apart from considering how to provide relief and humanitarian assistance to Africa's displaced persons, there was a need to focus on the root causes of population displacement in order fully to assess its implications for the broader problems of Africa's socio-economic development. The issue of population displacement should be analysed in the context of the level of poverty that existed in Africa. While poverty begot conflicts, so too did conflicts beget poverty, and the improvement of Africa's socio-economic situation depended largely on the continent's capacity to break the vicious circle of poverty, conflicts, refugees and population displacements. Meaningful development in Africa meant improving socio-economic conditions so that people did not have to leave their countries of origin under the pretext that they were political refugees. Relentless efforts also had to be made to prevent conflict situations from erupting into full-fledged conflicts that caused massive population flows to areas of peace and stability.

68. With those considerations in mind, the OAU Assembly of Heads of State and Government had decided in June 1993 to establish the Mechanism for Conflict Prevention, Management and Resolution within OAU, thereby recognizing the intrinsic relationship between conflicts and refugees. The aim had been to shift from ad hoc modalities of conflict resolution to a more permanent mechanism marking the emergence of a new institutional dynamism and situating the OAU at the centre of efforts to ensure conflict prevention, management and resolution in Africa. The mechanism was assisted by the fundamental shift in Africa towards democracy, which, together with economic development, would be the long-term foundation of peace and a lasting panacea to the refugee problem.

69. Although the mandates of the OAU and UNHCR differed, their roles coincided in many ways. Both organizations had cooperated with and supported one another and he again expressed his gratitude to the High Commissioner and her staff for the operational logistical support they had given to the OAU mission in Burundi. Such links should be strengthened and expanded to enable UNHCR to give more effective support to Africa's efforts at conflict resolution within the framework of the OAU Mechanism for Conflict Prevention, Management and Resolution and to achieve the critical mass necessary to find solutions to political problems which involved mass displacements of population.

70. A partnership had to be forged between the international community and the people of Africa, predicated on principles of international solidarity, cooperation and commitment in order better to cope with the refugee problem in Africa. The Organization of African Unity would continue to develop the awareness, and to mobilize the support, of the international community in order to respond more forcefully to the needs and aspirations of Africa's uprooted communities.

71. Post-conflict reconstruction and rehabilitation were costly and the destruction of infrastructure in Liberia, Sierra Leone, Rwanda, Somalia and Burundi pointed to the importance of peace-making and peace-building if massive expenditures on reconstruction and rehabilitation were to be avoided. There again, Africa required the solidarity and partnership of the international community. Africa was concerned about the diminishing external resources available both to meet the needs of refugees and to sustain long-term reconstruction and development. While it was understandable that the world was becoming fatigued by the persistence and gravity of Africa's problems, those problems needed special attention and resources because they were in a broader sense the problems of mankind. Donor fatigue and compassion fatigue could have catastrophic consequences for refugees.

72. Ms. OAKLEY (United States of America) congratulated the Chairman and Vice-Chairman on their election and welcomed the new members of the Executive Committee.

73. The world's humanitarian crises were in much the same state as at other recent sessions, with one enormous difference: there was hope that the most complex emergency of the 1990s - that in the former Yugoslavia - was at a turning point. The Executive Committee had long noted the need for political solutions in order to resolve humanitarian crises; so-called "exit strategies" for humanitarian programmes depended on successful political reconciliation strategies.

74. A settlement along the lines of the September 1995 agreements would initiate a new phase with added dimensions in international efforts. Redrawing the map of Bosnia and Herzegovina would lead to further population movements among Serbs, Croats and Muslims. Refugees and others currently receiving temporary protection in Western Europe would, ideally, return at later phases as local communities made progress in integrating new populations from within Bosnia. Throughout the process, the international community needed to remain fully cognizant of and ensure respect for the applicable international humanitarian and human rights standards. Resettlement to third countries might prove to be the best or only solution for especially vulnerable people from the former Yugoslavia. The United States had pledged to provide 50 per cent of the resettlement places for which UNHCR had indicated a need. To date, it had provided resettlement for over 19,000 Bosnian refugees.

75. Throughout the past four years, the High Commissioner had splendidly led the international humanitarian response to the crisis and the United States Government supported the Secretary-General's recommendation that UNHCR should retain its lead humanitarian agency role in the post-settlement period. Specifically, the United States hoped to see UNHCR assist local Governments in coping with the new population movements and support the affected populations; work with European Governments on the orderly return of persons from the region, whether to old or to new homes; identify and recommend to European and other resettlement countries cases for permanent resettlement for especially vulnerable persons; act as advocate for returning refugees and provide technical and legal assistance on refugee policy to all players; and design community-based integration projects to ease the transition.

76. In the case of West Africa, repatriation was the most effective solution, but it was possible only when political circumstances permitted a safe and dignified, voluntary return of refugees. Her Government was gratified by recent progress towards repatriation in Mali and Togo and, above all, by the prospects for true peace in Liberia which would enable thousands of displaced persons in Guinea, Côte d'Ivoire, Sierra Leone and inside Liberia itself to return to their homes. The United States had recently sent a team to Liberia to assess the needs and the best means by which it could cooperate to implement the Abuja accords and bring an end to a six-year nightmare. It looked forward to working with UNHCR on repatriation planning, as well as on the closing-out of maintenance programmes around the world.

77. Regarding South-East Asia, she drew attention to her Government's full and mutual diplomatic recognition of the Government of the Socialist Republic of Viet Nam. For the final phase of the Comprehensive Plan of Action (CPA), the continued active cooperation of the Vietnamese Government in supporting new ideas to promote the voluntary return of the remaining camp population of non-refugees was essential. Support by all concerned parties for NGO programmes providing opportunities for safe and humane repatriation and reintegration was also a vitally important element in bringing the CPA to an honourable conclusion.

78. The United States was unequivocal in its belief that return home was the sole remaining option for those now in camps in South-East Asia who had been found not to qualify as refugees. It continued to support voluntary repatriation as the preferred option and at the same time recognized the appropriateness of orderly return programmes under the CPA framework. After return to Viet Nam, some of the persons concerned might be eligible for resettlement abroad, under immigration or other humanitarian criteria established by individual countries. The United States was prepared to establish a new bilateral programme that would offer additional opportunities for future repatriates to be interviewed in Viet Nam for possible resettlement in the United States.

79. Concerning the Great Lakes region of Central Africa, virtually all travellers came to two conclusions: first, UNHCR and WFP were performing at a level of excellence and cooperation unprecedented in both size and scope; and, secondly, the current situation of the millions of refugees outside Rwanda and Burundi was simply unsustainable. It was hard to determine how the international community could effectively intervene to soften, and eventually dissolve, the ethnic hatred that continued to simmer in the region. The question to be asked of all Hutu and Tutsi leaders in Rwanda, Burundi and in refugee camps was whether they cared enough to work towards peace and reconciliation at the same time as they worked for justice.

80. A regionally agreed, comprehensive plan was essential in order to maintain asylum in the region, to create safe conditions for voluntary repatriation and to bring to justice those responsible for genocide and ongoing murderous violence. Ultimately, it was for the countries in the region to demonstrate an intention to work towards multiple goals that recognized the interests of all parties. She looked forward to discussions with individual delegations on that issue and felt that three elements were crucial to a successful repatriation of Rwandan refugees: first, returning

refugees must have confidence that they would have a safe place to live; secondly, intimidation in refugee camps must be stopped and their essential civilian character restored; and, thirdly, international assistance must emphasize repatriation as the highest priority.

81. The Secretariat composed of staff from UNHCR, the International Organization for Migration (IOM) and the Organization on Security and Cooperation in Europe (OSCE) and responsible for preparing the international conference on migration and refugee issues in the Commonwealth of Independent States had done an outstanding job. The United States looked forward to further good work by the Secretariat and encouraged the involvement of knowledgeable NGOs and other independent groups, especially those in the States of the region.

82. One of the three important management issues to be addressed was the reflection of policy goals in UNHCR programmes. Following a series of international conferences on population, social issues and women, it was essential to apply the energy invested in preparing global policies. The Executive Committee had established a policy on protection for refugee women and a policy to examine the condition of the refugees themselves and to ensure that the least vulnerable among them had access to the required protection and assistance. Beyond the establishment of policy, however, was the bigger struggle to implement policy worldwide. In that regard, UNHCR should first monitor the extent to which its own programmes implemented UNHCR policies. Secondly, it should examine the contracts it signed with implementing partners to ensure that those acting with UNHCR funding and on UNHCR's behalf were carrying out their responsibilities in accordance with the policies that the Executive Committee had approved. Thirdly, the High Commissioner should have funding to explore imaginative ways of improving policy implementation through innovative project design. Her Government would be prepared to contribute to such a fund.

83. Staff development, a second management concern, was also crucial to policy implementation. The Executive Committee had stressed the importance of people-oriented planning training, which focused on appropriate programme design according to the profile of the beneficiary population. The United States supported training of UNHCR staff within that framework. Furthermore, as a major implementor of reproductive health programmes in its bilateral development efforts, her Government was interested in helping UNHCR identify and design appropriate training modules or programmes for field staff, programme officers and NGOs. A third management concern involved the relationship between UNHCR and its implementing partners. The United States expected international NGOs to fund a portion of their own activities through their private resources, as UNHCR did. Overhead costs were a necessary part of achieving the goal of assisting refugees. UNHCR should not restrict itself to providing funding only for certain programme elements and not for others. Also, it should monitor the degree to which its implementing partners were operating according to UNHCR policies and guidelines.

84. The United States continued to support the courageous efforts of the High Commissioner's staff in the field to provide protection to those in need and appreciated the practical cooperation it received from UNHCR on protection issues in its own region. It encouraged UNHCR to work with Governments to

discuss the development of guiding principles for the provision of protection for those in need who fell outside the bounds of the 1951 Convention and the 1967 Protocol.

85. She wished to acknowledge UNHCR's response to her Government's suggestion the previous year that a meeting should be held on resettlement programmes. That issue was particularly important to the United States, which had resettled about 100,000 persons under its refugee admissions programme during the past fiscal year. Her Government viewed resettlement as an important component of its overall effort on behalf of refugees and played a leadership role in that aspect of refugee protection. It hoped that it would continue to meet, preferably with UNHCR, NGOs and Governments together, to discuss refugee resettlement issues. In that context, it welcomed the evaluation of its resettlement programme conducted by UNHCR and found its analysis and recommendations quite useful. It looked forward to international resettlement regaining its full place as one of the three durable solutions for refugees, in practice as well as in theory.

86. In conclusion, she paid tribute to the thousands of UNHCR and NGO staff working to improve the conditions under which refugees lived. Her Government expected to maintain a high level of financial support for those efforts in 1996 as in 1995. The world's humanitarian workers, and the world's Governments, benefited every day from the leadership of the High Commissioner, who had managed to retain a clear focus on the highest priority of her Office - the protection and assistance of refugees, regardless of their political opinions, their location or their number.

87. Mrs. RUIZ-TAGLE (Spain), speaking on behalf of the States members of the European Union, congratulated the officers of the Executive Committee on their election and welcomed Bangladesh, India and the Russian Federation as new members. In a year of increasing challenges, the performance of UNHCR had been impressive and she wished to express the European Union's appreciation and support to the High Commissioner and pay tribute to the commitment of all her staff.

88. International humanitarian law and human rights continued to be brutally violated. The civilian population remained too often the target of hostilities by warring parties. Free access by humanitarian organizations to persons of concern had to be guaranteed and the manipulation of humanitarian action for political or military purposes had to be prevented. The security of humanitarian relief personnel also needed to be ensured.

89. The conflicts in Rwanda and Burundi had confronted UNHCR with one of its biggest challenges. The Bujumbura regional conference in the Great Lakes region had agreed on a plan of action favouring voluntary repatriation as the most preferred durable solution. However, most of its provisions still had to be implemented and all States should do their utmost to honour the commitments they had made at Bujumbura. The work of the tripartite commissions to accelerate repatriations was to be encouraged, but adequate conditions still needed to be ensured in the country of origin for repatriation in safety and dignity. The international community, through the round-table process, had approved the basis for a programme of national reconstruction and socio-economic rehabilitation. It was up to the Government of Rwanda to

establish the conditions for national reconciliation, including a properly functioning, independent judiciary and full respect for human rights. In that context, the recent memorandum of understanding between UNHCR and the United Nations human rights field operation in Rwanda would be important. The European Union also fully supported the work of the international criminal tribunal for Rwanda.

90. The massive presence of refugees in neighbouring countries was a heavy burden, but the expulsion of refugees was not acceptable; nor should borders be closed to them. States had the responsibility to ensure the protection and security of refugees and access for humanitarian assistance. The European Union had been providing significant assistance in that regard and would continue to do so. It would further support all preventive and confidence-building measures in the region aimed at guaranteeing respect for human rights and the continuation of the political dialogue and cooperation between the various parties, in the spirit of the Arusha Agreement. The United Nations Conference on peace, security and stability in the Great Lakes region, called for by the Security Council, could contribute to forming the basis for durable solutions to the problems of that region. In addition to positive steps at the national level, there was also the need for a comprehensive and global approach to the political, economic and security issues affecting the region.

91. The Horn of Africa was also an area of concern, but there had been positive developments in Africa, all of which involved UNHCR - notably the successful process in Mozambique and the start of what might be a similarly successful process in Angola, as well as a glimmer of hope for peace in Liberia.

92. In the former Yugoslavia, there appeared to be a real possibility for a peaceful solution. The European Union wished to stress once again the important role of UNHCR as the humanitarian lead agency and the valuable work of ICRC and other humanitarian organizations and NGOs. UNPROFOR, with a major European contribution, had also played a key role in facilitating the delivery of humanitarian assistance to and protection of the civilian population. To promote the return of refugees and displaced persons, the peace settlement would have to include humanitarian and human rights elements, including respect for the rights of minorities, free choice of place of residence and freedom of movement.

93. The European Union strongly condemned the disappearance of thousands of persons from Srebrenica and Zepa and urged that immediate access for the relevant international organizations should be given to the detained persons from those areas, as well as full information on the fate of those not accounted for. It also condemned the expulsions from Banja Luka, the atrocities in Krajina and the shellings of a refugee centre near Tuzla and of Sarajevo. The European Union was also seriously concerned about measures recently taken by Croatia, such as the revocation of refugee status for certain Bosnian refugees, the forced relocation of refugees from Banja Luka in the Bihac area, as well as the property decree. It called on the parties to comply fully with their international obligations in order not to jeopardize the chances of peace and reconciliation.

94. Even if peace came immediately, humanitarian needs in the short term would still have to be met prior to or in parallel with planning for rehabilitation and reconstruction. The International Management Group (IMG), with the basic support of the European Union and UNHCR, was already present in the field, working on the rehabilitation of infrastructures, and would be able to provide significant help. Discussions on the form and nature of broader assistance were continuing, but the international community, including the international financial institutions, would have a key role to play. Respect for human rights and fundamental freedoms would be a precondition for all such assistance.

95. The European Union believed that international protection remained the central pillar of UNHCR's mandate and wished to express its appreciation and support for UNHCR's work in that area. The 1951 Convention and 1967 Protocol continued to be the key legal instruments for the international protection of refugees. The European Union called on all States to implement them fully and urged those that had not yet done so to ratify or accede to them. At the same time, it fully recognized the value and importance of regional arrangements and instruments, both for prevention and for addressing specific protection needs.

96. The European Union shared UNHCR's continuing interest in exploring measures to ensure that adequate protection was granted to all those who needed it. While recalling the primary responsibility of States, it also agreed on the importance of international solidarity in assuring protection, especially in developing countries with a significant presence of refugees. It was ready to continue working with UNHCR to make that protection more secure, consistent and predictable.

97. The primary victims in situations of mass displacements continued to be children, women and the elderly. The European Union stressed once again their need for special protection and commended UNHCR on its efforts to strengthen its capacity to meet better the needs of those particularly vulnerable groups. Regarding internally displaced persons, it appealed to all parties in conflict to adhere to the principles of human rights and international humanitarian law. It welcomed and supported UNHCR's activities on behalf of stateless persons and encouraged it to continue devoting special attention to that core issue and to increasing its protection of stateless persons or persons facing the risk of becoming stateless due to the dissolution of States.

98. The European Union welcomed the outcome of efforts to reform the working methods of the governing bodies, as well as the outcome of the informal consultations on budgetary issues, and looked forward to speedy implementation of those reforms. It trusted that the reforms would give the Executive Committee greater opportunities to exercise oversight and governance in relation to General and Special Programmes and to the question of the efficiency of UNHCR operations. Recent reports concerning oversight had highlighted a number of administrative and managerial challenges facing UNHCR, including the office's relations with its implementing partners. The European Union would encourage UNHCR to deal with those issues as a matter of priority and looked forward to inter-sessional discussion on UNHCR's response.

99. The discussions on the budget structure had been very useful in promoting understanding of the concerns of donors, recipients and UNHCR, and the European Union hoped that the suggested changes would provide the High Commissioner with the necessary flexibility to respond effectively and quickly to operational needs. Budgetary requirements for 1996 would most likely again be a challenge to the donor community. The European Union would continue to provide UNHCR with substantial financial support and called on Governments to contribute generously to UNHCR's programmes. In that context, the European Union stressed the importance of broadening the donor base and of achieving a fairer burden-sharing.

100. There had been important work in other areas, such as on human resources management, on emergency preparedness and response and in the fields of emergency training and service packages.

101. The European Union appreciated the work of the Secretariat in the preparatory process for the regional conference on refugees, returnees, displaced persons and related migratory movements in the Commonwealth of Independent States and neighbouring countries. It would continue to support actively that intergovernmental process and hoped that it would provide a framework for adequate cooperation in the future.

102. There was a need for detailed discussion on a concerted strategy for further improvements in emergency management at a broader level. Economic and Social Council resolution 1995/56 called for a comprehensive and analytical review of the capacity of the United Nations system to provide humanitarian assistance. The European Union was ready to participate actively in that process and hoped to be addressing all the relevant issues in the new Standing Committee.

103. Aware of the important and growing role of NGOs in humanitarian assistance and their increased involvement as implementing partners, the European Union welcomed the ongoing consultation process between UNHCR and NGOs within the framework of the PARinAC process. It encouraged UNHCR to strengthen its interaction with NGOs, in particular to improve the accountability of the NGOs working as UNHCR's implementing partners.

104. In conclusion, she reiterated the European Union's support of UNHCR and particularly its work in assisting the return and reintegration of refugees to the point where non-emergency actors could take over. It was to be hoped that, in the coming year, the resolution of at least some of the current emergencies would mean that UNHCR's positive work in that area would attract the attention of the world media.

The meeting rose at 1.20 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 500th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 16 October 1995, at 3 p.m.

Chairman: Mr. LARSEN (Denmark)

CONTENTS

GENERAL DEBATE (continued)

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GE.95-03443 (E)

The meeting was called to order at 3.15 p.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. KULLAVANIJAYA (Thailand) said that the ethnic hatred, violence and human rights violations that had continued in some parts of the world, including Europe, were the cause of mass exoduses of refugees and population displacements which stretched the resources of UNHCR and other international organizations concerned to the limits, particularly in emergency situations. Out of solidarity with UNHCR and the world community, Thailand would, despite the burdens it had to bear as a first-asylum country, consider continuing its contributions to the assistance programme for the affected population of the Great Lakes region of Africa and the programme for the repatriation of Myanmar refugees from Bangladesh.

2. The task ahead for UNHCR was arduous and required better coordination and policy planning to ensure the success of operations in the field. Thailand therefore supported the creation of the post of Assistant High Commissioner for Refugees for policy, planning and operations. It was also in favour of strengthening cooperation and complementarity between UNHCR and non-governmental organizations, as well as other international organizations, and thus welcomed the forthcoming conclusion of the Memorandum of Understanding between UNHCR and UNICEF, which would help to meet the concerns of the international community about the plight and education of refugee children and other vulnerable groups.

3. In the past 20 years, his Government had, in accordance with its humanitarian principles, provided temporary refuge for persons in need from neighbouring countries pending durable solutions of third-country resettlement or repatriation.

4. Now that possibilities of third-country resettlement seemed to have been practically exhausted, repatriation appeared to be the most realistic and durable solution to the refugee problem.

5. Since the launching of the Comprehensive Plan of Action in 1989, UNHCR and the first-asylum countries, with the support of the international community, had had some success in dealing with the Vietnamese refugee problem. Thousands of Vietnamese who were determined to keep refugee status had been resettled in third countries. An even larger number to whom refugee status had not been granted had been repatriated to Viet Nam. At present, there were only 5,199 Vietnamese, most of whom were not entitled to refugee status, in camps in Thailand. Although the Government had campaigned for their voluntary return, only 528 of them had volunteered to return home in 1995. Many Vietnamese were opposed to repatriation and had started protests in camps in South-East Asia which had turned violent in some cases. Thailand had been fortunate that the "quiet protest" in Si Kiu Camp in March 1995 had been limited to a small group of persons, but there was no guarantee that the situation would not grow worse.

6. Such violence was a breach of public order which could not be condoned in the eyes of the local population. As the Executive Committee had recalled in conclusion No. 48 which it had adopted at its thirty-eighth session in 1987,

refugees had a duty to conform to the laws and regulations of the country of refuge, including lawful measures taken for the maintenance of public order, and to abstain from any activity likely to detract from the exclusively civilian and humanitarian character of the camps.

7. In that context and in view of the lack of success of the proposals for voluntary repatriation made to the Vietnamese, Thailand, Viet Nam and UNHCR had undertaken in September 1995 to conclude a memorandum of understanding which would enable them to implement the alternative orderly repatriation of the Vietnamese non-refugees now numbering 5,000 in Thailand. Thailand hoped to be able to count on the full participation of all parties concerned, i.e. Viet Nam, UNHCR and IOM, and urged the international community to continue its support for the implementation of the Comprehensive Plan of Action. It would also like UNHCR to convene the seventh session of the Steering Committee before the beginning of December so that the current situation could be evaluated and future action which might be necessary could be planned for the post-CPA period if there were residual problems to be solved.

8. For several years, Thailand, the Lao People's Democratic Republic and UNHCR had been making joint efforts to implement the tripartite agreement on voluntary repatriation of the Laotian camp population in Thailand, but of late, results had been very meagre, for a number of reasons. Having done its fair share in caring for the Laotian camp population since 1975, Thailand would like the international community, particularly the donor countries, not to be oblivious to their responsibilities and to intensify their efforts to assist the camp Laotians, facilitate the reintegration of returnees and support their community development microprojects. The Laotian authorities should also be helped to increase their absorptive capacity.

9. In addition to the Vietnamese and the Laotians, Thailand had, in accordance with its humanitarian tradition, been giving temporary shelter in the past 11 years to some 50,000 Myanmese fleeing armed conflict in their country, not to mention the 30,000 new arrivals who had entered Thailand since the beginning of the year. It had recently taken measures to ensure their protection and safety and granted UNHCR and interested embassy staff access to the Thai-Myanmar border areas on a case-by-case basis. With the support of various NGOs, to which he paid tribute, Thailand had been providing food and medical assistance to all those persons and was trying to provide education for their children.

10. He expressed his deep appreciation to the High Commissioner and her staff for the assistance they were providing to Thailand in its efforts to find a solution to the problem of Indochinese refugees and asylum seekers. He hoped that, under the new leadership of the UNHCR team responsible for Asia and Oceania, the present impasse would be overcome and the objectives of the Comprehensive Plan of Action could be achieved by the end of 1995. It was also his sincere wish that the international community should remain committed to the principle of international burden-sharing and continue to give support to CPA activities, particularly in connection with assistance for and the reintegration of persons remaining in the camps.

11. Mr. HARDER (Canada) said that, while the basis of the international system of protection for refugees continued to be the 1951 Convention relating

to the Status of Refugees and the 1967 Protocol, which were a reliable standard for States and a guarantee of consistency in the international community's responses to the refugee problem, the refugee situation in the field required constant reinterpretation of the rules in order to find pragmatic solutions. Even if the wording changed - and the contributions of the recent Beijing Conference had recognized that sexual violence and other gender-based persecutions could justify the granting of refugee status under the 1951 Convention - States should in practice be able to act speedily and flexibly to deal with massive flows of refugees. The note on protection issued in 1994 had, moreover, drawn attention to the limitations of the instruments and practices in force.

12. Protection for refugees could take several forms. In Canada, public opinion, reinforced by positive experiences in that regard, was particularly in favour of resettlement, even though that solution would work for only a small proportion of the world's refugees. Canada had long relied on UNHCR to help it identify persons needing protection through third-country resettlement. It had been pleased to take part recently with UNHCR and other major resettlement countries in a review of resettlement and looked forward to continuing such collaboration.

13. Public confidence was needed to maintain generous asylum policies and such confidence depended largely on possibilities of effectively managing the refugee status determination process, sometimes through trade-offs between the granting of asylum and other humanitarian solutions, such as resettlement. It was crucial that asylum procedures should be and seen to be sharply focused on their purpose of identifying refugees who might be entitled to protection.

14. The Note on protection raised the question of international obligations to stateless persons. Canada recognized the importance of the problem, but noted that UNHCR's contention that statelessness was analogous to the situation of refugees should not have any effect on the status of individuals, which continued to be determined under the 1951 Convention. The problem of statelessness derived from the increased vulnerability of persons who did not have the protection of a State. UNHCR could help to head off future problems by continuing to advise Governments on ways of drafting their citizenship laws to avoid creating stateless persons.

15. Referring to the wider issue of the effectiveness of international institutions, whose key role in the pursuit of stability, prosperity and equity in the last 50 years had been recognized by the G7 members at their recent summit meeting in Halifax, he said it was Canada's position that the effectiveness of some institutions should continue to be improved and that major reforms in others should be undertaken by putting forward new ideas.

16. While it was true that the necessary resources must be made available to the United Nations, it was also true that changes had to be made to United Nations machinery to improve existing methods of work and enhance its capacity to identify achievements. Canada had made four proposals that would lead to a more coordinated, leaner and more transparent United Nations. They were: harmonization of budget presentations for the United Nations development system and humanitarian agencies; enhanced field coordination, including shared strategies; rationalization of data collection and analysis,

joint reporting and multi-agency evaluations; and decentralization of authority from headquarters to the field. Succinctly, "command and control" management should be replaced by more progressive approaches based on accountability and performance assessment.

17. In that context, Canada had listened with great interest at the preceding meeting to the High Commissioner's comments on steps to be taken to make managers more accountable for their decisions, to improve financial and programme monitoring and to enhance management capacity. It was in favour of the creation of the post of Assistant High Commissioner, but it was less enthusiastic about the implications of covering the related costs under programme delivery instead of administrative support. Like many other donor countries, Canada was experiencing fiscal restraint and, although it had succeeded in 1995 in maintaining its contribution to UNHCR's general programmes, it had had to reduce its contributions to other agencies. At a time when budgets were shrinking, it urged United Nations agencies, including UNHCR, to give top priority to programme functions, with the brunt of reductions being borne by administrative budgets and headquarters.

18. To achieve the goal of maximum efficiency, the evaluation function, including follow-up to CPC and ACABQ recommendations, was more important than ever. Evaluation as a post-facto instrument was a thing of the past and there were too many examples of evaluations done too late to supply corrective action. States which paid for and assisted in evaluations should share in all findings. At the Executive Committee's last session, for example, it had been agreed that UNHCR would undertake a lessons-learned exercise on its response to the Rwanda crisis, both at headquarters and in the field. At a time when a new crisis seemed to be looming in Central Africa, what lessons had been learned from the Rwandan experience?

19. UNHCR made increasing use of implementing partners in the delivery of its programmes. The selection of those agencies should take account of past performance and proven capacity. Canada wholeheartedly concurred in the CPC recommendations on the selection and performance appraisal of implementing agencies and was glad to find its concerns reflected in the report of the Board of Auditors. Achieving a truly professional working relationship between UNHCR and its partners was essential. Professional and experienced NGOs performed invaluable services for the international community, often through UNHCR. Fair compensation for costs incurred and work performed must be the guiding principle in contractual negotiations between parties. Canada took the present opportunity to congratulate UNHCR on the efforts it had made to improve the workings of the Executive Committee. It was now time, however, for UNHCR to investigate ways of transmitting Executive Committee documents electronically, thereby saving time and trees.

20. Referring again to the achievements of the recent Beijing Conference on Women, he commended UNHCR and the participating States on their contributions. The global platform of action which had been adopted should re-energize UNHCR management and staff and serve as an incentive to close the gap between policy and practice in the field. UNHCR should be a leader and prove its commitment to women by allocating sufficient resources, making training in the area mandatory and clearly defining staff accountability. Promotions and field assignments should take account of the ability and willingness of officials

fully to implement the policy directions of the Executive Committee in that regard. He hoped that the celebration of the fiftieth anniversary of the United Nations would give the members of the Executive Council renewed energy to tackle the many challenges that the global community still faced.

21. Mrs. ABDALLA ALGHABSHAWI (Sudan) said that, despite difficult economic conditions, Sudan had hosted more than 1 million refugees in recent years and was thus the main host country in Africa. Its record in dealing with the humanitarian crisis in Africa had been unanimously recognized and praised by the entire international community and by UNHCR. It had also played an active role in many local, regional and international meetings and conferences designed to tackle refugee issues. For example, it had organized the Conference for Assistance to Refugees in Sudan in 1980 and had taken part in the organization of the first and second International Conferences on Assistance to Refugees in Africa. Recently, the Sudanese capital had hosted the twenty-fourth session of the OAU Committee on Coordinating Assistance to African Refugees.

22. Unfortunately, Sudan's humanitarian action had recently been denigrated and distorted by some circles trying to tarnish its distinguished record. It must therefore be stressed that Sudan's achievements in that regard could not have been possible without the lofty ideals of the Sudanese people and its highly civilized attitude towards the poor and the weak, regardless of their country of origin.

23. When the Horn of Africa had been hit by drought, civil war and famine at the start of the 1980s, huge numbers of refugees had found their way to Sudan, where they had been hospitably received and where the Sudanese people had literally shared with them everything it had possessed. In all fairness, it must be said that, at the time, the response of the international community and UNHCR had been equal to the size of the tragedy. However, since the mid-1980s, that assistance had begun to decline conspicuously and now stood at only $7 million, so that the share of a single refugee inside the camps was not more than $20 per year and fell to $6 per person for refugees outside the camps. That gave the members of the Executive Committee some idea of the enormous gap that Sudan had to fill in order to meet the basic needs of those refugees. According to some information, other refugee-hosting countries in Africa received six times as much. Sudan therefore appealed to the Executive Committee and the international community to reconsider the assistance programme to Sudan, in line, moreover, with conclusion No. 29 adopted by the Executive Committee at its last session on the situation of refugees and displaced persons in Africa.

24. In its relentless efforts to have the level of support for its assistance programme increased, Sudan had requested UNHCR several times to dispatch an evaluation mission to assess the real situation. The mission had finally visited Sudan in March 1995 and had recommended some suitable measures to rectify the situation, but, unfortunately, the recommendations had so far not been translated into action. If Sudan's repeated calls for assistance continued to be ignored, there might be disastrous consequences. Sudan once again appealed to the international community and to UNHCR in particular to act before it was too late and shoulder their responsibilities in the face of that tragic situation.

25. The important political changes that had taken place in the Horn of Africa since the early 1990s had created conditions conducive to the voluntary repatriation of refugees in Sudan. However, despite the efforts made by the Government of Sudan in cooperation with neighbouring States and UNHCR, the results were disappointing. The fact was that the international community and UNHCR had failed to provide the necessary financial resources that could push forward the voluntary repatriation operations, contrary to what had happened in South Africa, for example, where large-scale action had been taken. Consequently, Sudan's economic difficulties had only worsened, particularly in the eastern provinces. In view of its limited resources, Sudan would no longer be able to bear the heavy burden that was increasingly threatening its stability and security. After the many appeals it had made to the international community and UNHCR, it unfortunately had no other choice than to take all the necessary actions and consider all the different options.

26. The relationship between Sudan and UNHCR had to be rebuilt on the basis of mutual trust and objectivity. That would not be difficult to do, since the aims of the two parties were purely humanitarian. As Sudan still hosted the largest refugee population in Africa, UNHCR had to intensify its activities in that country and strengthen its Khartoum office.

27. The issue of food assistance took prominence in any refugee assistance programme. In that connection, there had been a sharp drop in the food assistance in Sudan provided by the World Food Programme, which had made 25 per cent cuts in food supplies without proper consultations with the Sudanese authorities and on the basis of inaccurate statistics. The question of inter-agency cooperation therefore had to be reviewed in order to include the views and experiences of host countries. At the same time, an accurate census of refugees in Sudan should be conducted in order to determine their food needs. That would help combat malnutrition and related diseases, as well as the deterioration in the security situation.

28. One of Sudan's top priorities was to guarantee the return of Sudanese refugees in neighbouring countries. In that connection, the Government of Sudan urged UNHCR and asylum countries to facilitate the visits of Sudanese delegations to Sudanese refugee camps in accordance with the conclusions on international protection adopted at the forty-fifth session of the Executive Committee. The purpose was to enable Sudanese delegations to obtain firsthand information on those refugees and increase their awareness of the efforts being made by the Government to rehabilitate most of the areas where security and stability had been restored. She drew the attention of the international community to the situation of Sudanese refugee children who were being manipulated, kidnapped and conscripted by the rebel movement in blatant violation of international conventions and agreements on the protection of children in time of armed conflict, as well as the recent attempts by the rebel movement to recruit Sudanese refugees in some neighbouring countries. Her Government urged UNHCR to do everything in its power to protect those refugees in accordance with its mandate.

29. Mr. ENDO (Japan) said that, despite the efforts of the international community, including UNHCR, the number of refugees and displaced persons had increased. However, in some parts of the world, the prospects were encouraging, as in the former Yugoslavia, where the peace process had begun to

bear fruit. It was to be hoped that the cease-fire would be observed. Of course, many problems would still have to be solved before a final settlement. It must be ensured that important objectives, such as the voluntary repatriation of refugees and displaced persons and the protection of human rights, should form part of any peace agreement. UNHCR should continue to play its humanitarian role until an agreement had been signed and even afterwards during the repatriation of refugees.

30. The Rwandan refugee situation was also looking better. He welcomed the visit the High Commissioner had recently made to a number of countries in the Great Lakes region, as well as the tripartite meeting organized with the Governments of Zaire and Rwanda in Geneva. Since the voluntary repatriation of Rwandan refugees had begun, it was important for the international community to facilitate their return, resettlement and reintegration in the local community; those were operations in which UNHCR had a pivotal role to play.

31. In promoting solutions to refugee problems, account should be taken of the heavy burden on host countries. The inflow of refugees impeded the economic and social development of those countries, disrupted their fragile social order and profoundly affected their natural environment, so that they were often tempted to take extreme measures, including the forced repatriation of refugees, as had unfortunately been the case in a number of regions of the world in 1995. Refugees should be repatriated voluntarily and in dignity and safety, but the international community also had to ensure that host countries rapidly received the assistance they needed.

32. The problem obviously called for a comprehensive solution. In addition to the repatriation, resettlement and local reintegration of refugees, the economic and social infrastructure of the countries of origin had to be improved and the development of those countries had to be encouraged in order to prevent future outflows of refugees. The continuum between humanitarian assistance and medium-term and long-term development assistance therefore had to be guaranteed. The continuum was crucial so that the reintegration of refugees could be promoted after repatriation and so that future outflows could be prevented. In that connection, he endorsed the attitude of UNHCR, which was trying to prevent reconstruction and development assistance from assuming too much importance in its mandate. UNHCR should simply act as a catalyst, with emphasis on quick impact projects (QIPs). It should also strengthen its working relationship with international development organizations, such as UNDP and the World Bank, so that they would take over when hostilities had ended. The Government of Japan, for its part, intended to ensure a smooth continuum between assistance and development. In Mozambique and Guatemala, it had already begun providing bilateral economic assistance for returnees and it was taking the same approach to assistance to Angola.

33. The mass influx of Rwandan refugees in 1994 had made the international community realize that it was necessary to improve emergency response capacity. Assistance extended through a "service package", on UNHCR's initiative, had been very effective. It was to be hoped that the international community would further develop that type of emergency response. It was important to guarantee the safety of personnel who took part in

humanitarian activities. From that point of view, UNHCR should consider drafting a model agreement on the status of humanitarian assistance personnel based, for example, on the agreement on the status of personnel for peace-keeping operations.

34. His delegation drew attention to the importance of preventive measures. While recognizing the complexity of the problem, it invited the relevant international organizations and countries of origin, donor countries and all parties concerned to combine their efforts to deal with its root causes. It welcomed the initiative taken by UNHCR, the International Organization for Migration (OIM) and OSCE for the holding of a regional conference on problems in the Community of Independent States and the neighbouring countries concerned. It had taken part in all the preparatory meetings for that conference, which should help greatly to prevent further problems. His Government, which had already pledged US$ 150,000 for the secretariat of the conference, intended to continue to support that process.

35. Close cooperation and coordination had to be established between the various international humanitarian organizations in order to meet complex humanitarian needs. The international community therefore had to establish a mechanism for that purpose. He commended UNHCR on its cooperation with various international organizations, such as the International Committee of the Red Cross and IOM, and on its collaboration with such United Nations bodies as WFP, but hoped that UNHCR would continue to take initiatives and play its lead agency role so that humanitarian assistance would be even more effective. The role of NGOs in the humanitarian assistance field was becoming increasingly important, as shown by UNHCR's Partnership in Action (PARinAC) programme, whose implementation should make the results of humanitarian assistance to refugees even more effective.

36. Japan fully endorsed UNHCR's policy of giving high priority to refugee women and children and to the impact of refugees on the environment. It placed particular emphasis on women and on the environment in its official development assistance programme and took a close interest in the environmental aspect of humanitarian assistance. It had been providing environmental specialists to UNHCR as coordinators of environmental activities. It intended to make an increased contribution to the UNHCR programme for refugee women and children and to its environmental protection programmes.

37. UNHCR's budget, which was estimated at $1.3 billion for 1995, was constantly increasing. Although he understood that that amount reflected the expansion of humanitarian assistance needs throughout the world, he pointed out that many donor countries, including Japan, faced budget constraints. He therefore appealed to UNHCR to intensify its efforts to make the management of its programmes more efficient and transparent. It was to be hoped that the suggestions made in the discussion on budget structure and working methods would be taken into account in UNHCR's activities so that the High Commissioner might continue to have the trust of all parties concerned. In that connection, his delegation hoped that the new inspection and evaluation service would help to increase the transparency and effectiveness of UNHCR's activities.

38. Now that the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA) was being completed, his Government appreciated everything it had accomplished. An international seminar on the Indo-Chinese exodus and the international response, in which the High Commissioner would personally take part, would be held in Tokyo on 27 and 28 October 1995 to summarize CPA activities.

39. His delegation regretted that Japan was underrepresented in UNHCR. Since that tendency had worsened in recent years, it requested the High Commissioner to recruit more qualified Japanese men and women. Despite a difficult budget situation, his Government had already pledged a contribution to UNHCR of about $70 million in 1995, including $25.7 million for the Great Lakes region and $15.5 million for the former Yugoslavia. On the occasion of the current session of the Executive Committee, he pledged a new contribution of $25 million, including $10 million for programmes in Asia, such as CPA, $7 million for activities in Africa and $2 million for the CIS countries.

40. Mr. BIDANDI SSALI (Uganda) said that population displacements and refugee outflows had become a major characteristic of the global political landscape, particularly in Africa. Events in the east and central African subregions since 1990 had been in the international headlines mainly because of the atrocities which had left millions of persons dead and driven millions of others to leave Rwanda and Burundi. However, as the events in the former Yugoslavia had shown, refugee movements on such a scale could take place anywhere in the world. The international community therefore had to try to continue to work for the achievement of the noble goals of peace and harmony among peoples. In that connection, his delegation paid tribute to the United Nations system for the untiring efforts it was making to find durable solutions to the refugee problem and to mobilize the necessary resources for humanitarian assistance.

41. The visit by the Deputy High Commissioner to Uganda in April, which had followed on that of the High Commissioner herself, had been extremely useful as it had offered an opportunity for a review of the refugee situation and an evaluation of needs. His delegation was encouraged by the steps taken by UNHCR to solve some of the problems that had been raised during the two visits. On 31 December 1994, there had been some 360,000 refugees in Uganda, one of the largest refugee populations in Africa. The new refugee registration operation now going on was aimed at determining the number of refugees and their characteristics so that action could be properly targeted.

42. The Government which had come to power in 1986 following a devastating civil war had made enormous efforts to reverse the trend and usher in an era of reconciliation, democratization and rehabilitation. The efforts have been rewarded by the return of over 500,000 Ugandans who had been forced into exile. Together with the flow of refugees from neighbouring countries, that massive return of Ugandan exiles had destroyed part of the results of the rehabilitation and democratization measures taken by the Government. The problem was being compounded by the fact that both the refugees and the returnees were in the same areas where civil war had been raging for so many years.

43. Despite that grim situation, his delegation reaffirmed that the Government of Uganda was firmly determined to continue to honour its obligations towards refugees. It nevertheless drew attention to certain issues. In the first place, Uganda was rated among the last on the list of least developed countries. Consequently, it relied heavily on the international community and other partners to help it save the lives of refugees. Uganda was one of the few countries to implement a generous and considerate policy of allocating land to refugees in order to promote self-sufficiency in terms of food production and income generation. Since food support was phased out as soon as refugees could produce their own food, the allocation of land enabled the international community to make large savings. So far, between 100,000 and 150,000 refugees had been allocated land and the number of beneficiaries should double by the end of 1996. In view of pressure on the land caused by the increase in the refugee population and the pace at which the local population was taking up commercial farming, it was becoming increasingly clear that the policy of allocating land would be in danger unless modern farming strategies targeting both refugees and nationals were designed and implemented.

44. Another area of concern was the damage to natural resources and the ecosystem caused by the large influx of refugees. At present, over 300,000 Sudanese refugees were crowded into one region of the country, with all the resulting consequences. In the circumstances, an environmental protection strategy had to be urgently designed and implemented. In that connection, the report by the environmental impact mission dispatched by UNHCR to Uganda in April was encouraging. The recommendations it contained should be translated into practical action as quickly as possible to beef up the efforts being made. He also drew attention to the project which had been proposed in 1994 by GTZ of Germany and was designed to strengthen the Refugee Directorate in the Ministry of Local Government to enable it to respond to environmental rehabilitation and development needs.

45. The volume of the humanitarian assistance provided by United Nations agencies had increased tenfold in recent years. However, when refugees received barely enough food to keep them alive, with the result that they easily succumbed to illnesses, it could be asked what had happened to international solidarity and obligations. In the first place, the food-supplying agencies had to recognize the seriousness of the situation and design quick impact strategies to deal with it. Secondly, the food basket for refugees, which now consisted of maize and beans, should include more nutritious food items that were locally available and cheap. It was worth noting as well that there had been a tendency by the parties concerned to overlook the serious situation in Uganda in favour of refugee situations elsewhere; that trend should be reversed.

46. Referring to the infrastructure of refugee settlements that had recently been established, he said that, unfortunately, owing to financial constraints, development activities were too slow and refugees had to stay in refugee transit camps for long periods. The resulting costs that had to be assumed by the international community were out of proportion with what it would have cost to develop camp infrastructure. Moreover, such delays dampened the enthusiasm of the authorities, who were less well disposed towards allocating land for infrastructural development. In many old camps, however, there had

been major achievements, such as schools, health units, access roads, boreholes, etc. Uganda took the opportunity to invite development agencies to form partnerships with the Government and UNHCR to promote the development of refugee-impacted areas.

47. In conclusion, he drew attention to the insecurity caused by the presence of refugees. On a number of occasions, his country had been bombed and occupied by Sudanese troops. Each time, the Government of Sudan had simply expressed its regret, without offering any compensation to the families whose members had died during the attack.

48. Another concern was that Uganda had been accused by some neighbouring States of supporting and harbouring dissident groups. The Ugandan authorities had always invited foreign diplomats accredited to Uganda to verify the authenticity of such claims, which had been proved to be baseless. Uganda believed in and practised the policy of good neighbourliness and had no wish to become entangled in the affairs of its neighbours, but, under the various international legal instruments which it had signed, it could not abdicate its responsibility to receive and host refugees.

49. Mr. LAFER (Brazil) said that the problem of refugees was global, not regional or national. It related to ways of ensuring all human beings their rightful place in a world which was the common heritage of all mankind. The fact that millions of persons continued to be displaced showed that there was a lingering risk of an antimony between the rights of individuals and the rights of peoples. It was difficult to change that situation and, in many parts of the world, repatriation encountered serious obstacles. First-asylum countries, which were often developing countries, had limited economic capability permanently to absorb mass influxes of refugees and it was difficult to find countries, even among those with considerable economic resources, capable of absorbing massive migratory movements. In that connection, he paid tribute to the High Commissioner and to the staff of UNHCR for the impressive and tireless efforts they were making to protect and provide relief for victims of war, violence and persecution.

50. Regrettably, the events of the past year, marked by genocide, ethnic conflict and resurgent violence, had once again confronted UNHCR with the challenge of refugee protection, particularly during mass influxes, situations that were outside the scope of the 1951 Convention and the 1967 Protocol. As the Executive Committee had requested at its last session, UNHCR had called on States to propose ways of bridging gaps in the international protection regime and strengthening its legal and institutional basis. His delegation shared the views expressed in the Note on International Protection (A/AC.96/850) about the desirability of global efforts towards solution-oriented approaches to situations of mass influx, which should presuppose liberal asylum policies and international solidarity with the countries most affected by such influxes. Consideration might be given to the possibility of drafting a declaration of non-binding guiding principles based on solutions consistent with international humanitarian law and taking into account the limitations of countries hosting large refugee populations. Temporary protection was a pragmatic and flexible tool in situations of mass influx.

51. Brazil, which was deeply concerned about some troubling developments in the area of refugee protection around the world, as highlighted by UNHCR's Note, stressed the need for support at the international level of the institution of asylum and the principle of non-refoulement. It was regrettable that some States had adopted restrictive measures by setting up physical and legal barriers to prevent refugees from entering or obtaining asylum in their territory.

52. Brazil deplored and condemned xenophobic and racist acts of aggression and discrimination against refugees and welcomed the efforts UNHCR was making to protect women and children, the main victims in situations causing massive population displacements.

53. His delegation agreed with UNHCR's assessment that mere accession to basic instruments had been insufficient to guarantee a consistent response to refugee needs (A/AC.96/850, para. 13). The international community had to find appropriate structural solutions for the problems of underdevelopment and poverty. In that connection, Brazil joined UNHCR in calling for strong political action by the international community to tackle the root causes of the refugee problem. As indicated in the Note on International Protection, there was an urgent need to establish mechanisms to strengthen the national capacities of the most affected States to receive refugees (para. 15). In order to find sustainable solutions to refugee problems in countries of origin, the Executive Committee should remind Governments of the need for measures of international solidarity, including support for UNHCR's voluntary repatriation programmes and broader efforts to settle conflicts and bring about reconciliation of the parties.

54. Brazil was glad to note that UNHCR continued, particularly in Latin America, to disseminate the rules and principles of international protection implemented in the framework of the International Conference on Central American Refugees (CIREFCA). In that connection, he drew attention to the adoption, as part of the celebration of the tenth anniversary of the Cartagena Declaration, of the San José Declaration on Refugees and Displaced Persons, which dealt with the key issue of harmonizing legal criteria and procedures to consolidate the durable solutions of voluntary repatriation and local integration in central America, Mexico and Belize and to continue with the voluntary repatriation of Guatemalan refugees from Mexico.

55. Brazil had recently granted asylum to a large number of refugees, mostly from Angola and Liberia, and needed UNHCR's assistance to give them appropriate treatment. Financial assistance from UNHCR would also enable it to respond to the appeal for the resettlement and/or temporary protection of refugees from the former Yugoslavia. He paid tribute to the High Commissioner for her increasing interest in stateless persons and her willingness to assist them.

56. Mrs. HÄLL ERIKSSON (Sweden) said that the voluntary repatriation of some 4 million refugees and displaced persons from the former Yugoslavia would require formidable humanitarian and political coordination by all parties concerned. In that connection, she drew attention to the importance of guiding principles which must serve as the basis for the discussion on the role and responsibility of persons involved in the repatriation work. For

example, the primary responsibility for the rebuilding of their societies in peace and for respect for human rights lay with the countries of origin; as the coordinator and operator of humanitarian assistance in the former Yugoslavia, UNHCR had a major role in informing the countries of the region and all other parties of the safeguards and conditions for facilitating voluntary return. As a member of the European Union, Sweden had responded to UNHCR's appeals that the European countries should prepare to receive refugees and, to that end, had promoted burden-sharing and the sharing of responsibilities. To its regret, there had been no substantial progress towards the achievement of the sharing of responsibilities and efforts would now have to be coordinated and the costs of the future repatriation process shared.

57. With regard to international protection, Sweden was one of about 10 countries which had been cooperating in a planned way with UNHCR for years and with great success on resettlement as a durable solution. Of the very large number of asylum seekers who had arrived in Sweden in the past few years, only a minority qualified for refugee status under the Convention. Many asylum seekers had been found eligible to stay in Sweden, either for humanitarian reasons or because it had been impossible to return them to their countries of origin. The status determination and reception of those large numbers of persons were very costly and more economic means of meeting the needs of those who required protection had to be found. In that connection, UNHCR could help to identify the most efficient use of resources to achieve the maximum degree of protection and humanitarian assistance.

58. Sweden, like the other Nordic countries which had traditionally cooperated with UNHCR in the field of resettlement in those countries had been trying a long time to establish a dialogue with UNHCR without any preconditions and continued to hope that such a policy debate could be instituted. It was of the utmost importance that efforts and input from countries which cooperated with UNHCR should be used to provide the protection and assistance that the Executive Council was supposed to provide.

59. She stressed the need to promote accession to and the implementation of international legal instruments on statelessness, to educate personnel at the national level and within UNHCR and to supply expertise for work in areas where statelessness involved special problems. UNHCR must also collect and disseminate the relevant information, particularly in analysis form. As far as the future development of international protection was concerned, Sweden called for the establishment of an informal working group which would be set up to draft guidelines on behalf of persons fleeing from armed conflicts.

60. With regard to administrative and financial matters, Sweden attached particular importance to efficient governance and secure and predictable financing for UNHCR. In 1994, the Sub-Committee of the Whole on Administrative and Financial Matters had reached agreement on a number of important reforms of UNHCR's working methods and budget structure. In the year to come, those reforms would have to be built on and UNHCR would have to continue to be strengthened and streamlined. During the dialogue on the financing of the general programme, agreement had to be reached on policy and priorities, as well as on the appropriate level of resources for their implementation. It was the responsibility of all and in the interest of all

to enable UNHCR to carry out its main activities and efforts had to be made to find a mechanism within the Standing Committee that would work according to those principles.

61. Experience had taught the Nordic countries that efficient governance could be exercised only in a limited form. As the next step in the reform process, they would therefore encourage UNHCR to study the advantages and disadvantages of the present criteria for membership in the Executive Committee and to offer alternative solutions.

62. Mr. CONYBEARE (Australia), welcoming Russia, India and Bangladesh as members of the Executive Committee, said that the plight of the millions of persons displaced as a result of the Second World War and Australia's willingness to offer resettlement opportunities had marked the beginning of an exciting phase of Australia's migration experience. The millions of persons, including over half a million refugees, who had settled in Australia had created a much more tolerant and culturally diverse society in that country. Committed as it was to the concept and practice of tolerance, Australia was celebrating 1995, proclaimed by the United Nations as the International Year for Tolerance, with a range of activities building on its achievements as a just, democratic and tolerant society. Each year, as well, Australia designated one week during which Australians from all walks of life were encouraged to give some thought to the plight of refugees.

63. In the past 12 months, a global approach had been taken to the problem of refugee women. Referring to the status of women, he pointed out that the conclusions of the international conferences organized by the United Nations on population and development in 1994, social development in 1995 and women in 1995 were consistent with the approach Australia had taken in recent years towards the protection needs of women. In 1989, Australia had adopted the "Women at risk programme" in recognition of the priority given by UNHCR to the protection of refugee women in particularly vulnerable situations. The programme provided for the resettlement of and special settlement assistance to refugee women who were alone or the heads of families and identified as being in danger of victimization or serious abuse because of their gender. Some 500 settlement places had been allocated for women in that category. Australia was also working on guidelines for refugee decision makers that would take particular account of the specific problems of women.

64. Australia agreed with the High Commissioner's statement that the admission and protection of persons fleeing danger and persecution were still the essential responses to refugee flows and it welcomed UNHCR's initiative in bringing together resettlement countries for formal consultations. Resettlement was an appropriate solution for refugees in circumstances where their protection needs could not be met otherwise and it was regrettable that interest in it seemed to be decreasing. He encouraged UNHCR to stress the importance of that option as a durable solution.

65. Australia's humanitarian programme, which was separate from the general migration programme, was, on a per capita basis, the largest in the world and enjoyed wide community support. In each of the past three years, Australia had offered 13,000 resettlement places under that programme, which had three major components: the "refugee" component, which provided resettlement

opportunities for those who had been determined to be Convention refugees; the special "humanitarian" component for persons who were subject to gross discrimination amounting to a substantial violation of their human rights; and the "special assistance" component for categories of persons in particularly vulnerable situations who had close family in Australia. Unlike the other two categories, that component provided for the resettlement of persons who were still in their country of origin. All arrivals in Australia under the humanitarian programme were granted resettlement assistance.

66. UNHCR had been handed the enormous challenge of providing humanitarian relief to refugees in first-asylum countries and to those returning to their homes. In view of that situation, Australia had announced an increase of more than 18 per cent in emergency and refugee assistance, from A$ 71 million in 1994-1995 to A$ 84 million in 1995-1996. Moreover, the inclusion of the representative of an NGO, the Refugee Council of Australia, in the Australian delegation demonstrated that Australia recognized the important contribution made by NGOs to humanitarian action, on behalf of refugees in particular.

67. Australia, which was committed to the principle of a coordinated response, had established an emergency standby staffing scheme which could make a senior professional engineer available to join UNHCR's emergency relief operations within 72 hours. Australia had also played a significant role in the Working Group on Executive Committee Working Methods and supported the establishment of a standing committee of the whole responsible for policy and financial matters. The implementation of the proposed reforms to the Executive Committee's working methods would, however, have to be monitored to ensure that the Executive Committee continued to be an effective source of policy formulation and programme management.

68. With regard to refugee situations throughout the world, he noted that UNHCR's intervention had saved hundreds of thousands of lives in the former Yugoslavia. In addition to providing humanitarian relief funding, Australia had resettled some 14,000 persons from the former Yugoslavia since the outbreak of the conflict. In the Great Lakes region of Africa, Australia's assistance had consisted of sending an Australian defence force medical contingent, which had stayed in Rwanda until August 1995, and providing financial support for United Nations agencies and non-governmental organizations working in the region. It had also made a large contribution to the Comprehensive Plan of Action (CPA). It had provided $9.7 million in funding, resettled over 18,500 Indo-Chinese refugees and, at UNHCR's request, sympathetically re-examined the residual caseload to determine who might qualify for resettlement in Australia.

69. In the Note on International Protection, the High Commissioner had suggested that a flexible and imaginative approach was required to deal with the humanitarian crises currently facing the international community. In Australia's view, mechanisms other than the 1951 Convention had to be used to find a solution to the massive numbers of persons displaced by civil strife. It supported the use of temporary protection in situations of mass influx, but considered that a clear distinction had to be made between Convention refugees status and temporary protection status.

70. Australia strongly supported UNHCR's efforts to solve the problem of statelessness as part of its prevention-related activities. As a party to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, it urged other countries to accede to those two instruments and to legislate to deal with the problem of statelessness.

71. Australia was a strong advocate of the international harmonization of approaches to asylum issues, provided that safeguards existed to ensure that refugees were given appropriate protection. In that framework, it had adopted safe third country legislation which could operate only when there was an agreement between Australia and the third country concerned. That legislation had been promoted by the arrival in Australia of persons who had been determined under CPA not to be refugees and whose integrity Australia had not wanted to compromise by granting them asylum and it had been used following the arrival of a number of Vietnamese refugees who had been resettled in China under UNHCR's auspices. Australia had also instituted other procedures to minimize the abuse of its asylum system, while making the health criteria for entry into its territory more flexible.

72. Australia was committed to alleviating the plight of refugees and displaced persons and willing to respond generously to humanitarian needs in the field, particularly as refugees had contributed in the past towards the shaping of Australia as an exciting and culturally diverse nation.

73. Mr. KAMANDA WA KAMANDA (Zaire) said that the refugee situation was still bad in the Great Lakes subregion in Central Africa. In the name of noble humanitarian principles, agreements had been signed by Zaire, Rwanda and UNHCR. Commitments had been entered into on all sides, but little progress had been made in the field for lack of assistance to countries of origin and host countries. Zaire was still sheltering refugees from Rwanda and Burundi. The environment and basic infrastructures continued to deteriorate and earlier damage had not yet been repaired. International opinion always seemed to forget that the refugee problem was basically the result of the situation in countries of origin. The lack of consistency between humanitarian statements and the practice of the international community and the United Nations system was increasingly frustrating for asylum countries. In Zaire, it was not clear whether it would be possible to carry out refugee identification and census operations in North and South Kivu. Zaire had the impression that the international community was of the opinion that, since Zaire had agreed to receive refugees, it had to continue to support them stoically regardless of the problems they caused.

74. Referring to international protection in mass influx in the light of Zaire's experience, he said that the main thing was to try to prevent situations giving rise to mass flows of refugees. When prevention had failed, solutions then had to be found to deal with the root causes of the exodus in order to guarantee the refugees' return to their countries in conditions of safety. Through concerted action, countries of origin had to be helped to eliminate those causes, contribute to the recovery of host countries and take the necessary measures to preserve the national security of the host countries and protect their population. The obvious inadequacies of the current system of international protection in mass influx explained the fact that States

traditionally regarded as pillars of refugee protection now felt incapable, for economic, social or political reasons, of continuing to honour their commitments.

75. The incomprehensible lack of concern on the part of the international community in general and the United Nations in particular about the causes of the tragedies taking place, for example, in the countries of the Great Lakes region and the dualist approach with which it tended to be combined bordered on complicity and might pave the way for a drift towards exclusion and ethnic purification. Some countries used the concept of voluntary repatriation to stand in the way, by means of intimidation, of the return of their nationals whom they had previously thrown out for ethnic or political reasons. The extended stay of refugees without any certainty of return in countries of asylum like Zaire, which were suffering from difficult economic and social conditions, could lead to clashes between the local population and the refugees, particularly when the latter had better living conditions than the former as a result of assistance from the international community. Assistance to refugees therefore had to go hand in hand with increased international support for host countries, as well as with more effective preventive action and stronger international support for rapid repatriation in safety and dignity.

76. Referring to the measures adopted in the framework of the Bujumbura Plan of Action adopted in February 1995 by the Regional Conference for Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes region, he said that the Plan could help guide the international community in situations of mass flows of refugees. It must be recognized that, in the Great Lakes region, few efforts had been made to settle conflicts and promote reconciliation in Rwanda and in Burundi. The international community had read reports of serious situations, but had not reacted as it should have done, and one tragedy had consequently followed another. If the international community continued to consider that there were good and bad dead people, it could be asked when and how the cycle of violence would end. Intensified efforts had to be made to resolve conflicts and ensure reconciliation in Rwanda and Burundi so that further abuses would not occur, particularly as United Nations peace-keeping and security staff in the region would be withdrawn by late 1995 for budgetary reasons, as though all the problems had been solved.

77. Zaire had been in favour of the proposal for a regional conference on peace, stability, security and development in the Great Lakes region made by the United Nations Secretary-General with the support of the Security Council. Such a conference had to be carefully prepared and based on prior bilateral agreements and operational repatriation agreements, as well as on a clearly stated joint definition of objectives and what was meant by a "comprehensive approach". Such an approach must not call into question the principle of the intangibility of borders and there should be no advocacy of the establishment of refugee settlements in neighbouring countries. At present, the real problems faced by Rwanda and Burundi - and, consequently, by Zaire, the United Republic of Tanzania and other countries in the region - had to be methodically identified and specific measure had to be taken to promote refugee repatriation, national reconciliation, power sharing, the establishment of the necessary balance within the armies, which had become the political mainstays of Governments, the establishment or revitalization of the

process of democratization, the creation of institutions, the strengthening of the rule of law, including an independent judiciary accessible to all and a responsible public administration, the reintegration of refugees, the reconstruction and development of countries of origin and host countries and border security. The proposed conference might also give the floor to those who were not often heard, the refugees themselves, especially those who were not guilty of any crime, but in whom fear had been instilled.

78. Zaire would continue to cooperate with UNHCR and to help find durable solutions to eliminate the root causes of conflicts in the Great Lakes region and to bring about the refugees' repatriation. Its generosity must, however, not be used as an alibi by other States, which also had to assume their international obligations, especially in order to lighten the burden of the countries of asylum.

79. Mrs. CARRIZOSA de LOPEZ (Colombia) expressed appreciation to UNHCR for its success in carrying out its functions and for the initiatives it was constantly proposing to the international community, particularly in order to bridge the gap in the law relating to international refugee protection. The objective was to supplement the rules on international protection without weakening the spirit of the Convention and the Protocol relating to the Status of Refugees. It was obvious that the universalization of the legal regime of protection gave rise to problems because of the characteristics and particular needs of the different regions. That was, however, not the only problem and an interest must also be taken in other aspects of the refugee issue, such as burden sharing and preventive measures, and commitments had to be made in that regard. Measures had to be adopted immediately, but long-term strategies also had to be worked out on the basis of the humanitarian spirit of solidarity and pragmatic considerations relating to international stability and security. Everything necessary had to be done to help host countries in the event of crisis and make the necessary material and legal resources available to deal with a crisis when it continued for some time. Prevention, which was being referred to with ever greater insistence, was without any doubt part of the basic approach to the problem. There had to be a response in critical situations and an ambitious strategy to tackle the root causes of the refugee problem.

80. The humanitarian assistance that UNHCR could provide thanks to its own experience and with the support of the international community could obviously help to solve the problem of internally displaced persons. Although population displacements were less a matter of concern to the international community than applications for asylum, UNHCR's cooperation could be invaluable in dealing with the problem. In Colombia, an administrative unit for protection and disaster relief had also been asked to deal with forced displacements resulting from situations of violence. That unit was working to strengthen established technical and humanitarian assistance ties with the United Nations.

81. If account was to be taken of the long-term dimension of the question of prevention, an in-depth analysis of the causes of the problem had to be made without any preconceived ideas. Violations of human rights were obviously one of the causes of population displacements at the national and international levels. Political causes could not be separated from economic and social

causes, much less from cultural causes, as current events showed. Nationalism and xenophobia were as dangerous as poverty and, although it was the direct responsibility of Governments to combat those problems and eliminate them, action at the world level was essential to put an end to them once and for all.

82. The factors that destabilized national societies all affected the international community at one time or another. World development policies, whether based on altruistic sentiments or eminently pragmatic considerations, must also take account of world security. It was just as important to deal with poverty as with the arms race, environmental deterioration, racism and violations of civil and political rights. Those problems were all linked and national political strategies, as well as comprehensive international strategies, had to be adopted to solve them. Colombia was of the opinion that the latter were the most likely to have both negative and positive effects because of the time they lasted and the support they aroused. In conclusion, Colombia endorsed the priorities which UNHCR had set itself, especially with regard to refugee women.

83. Mr. MALIK (Bangladesh) said that Bangladesh was taking part in the session as a full member of the Executive Committee for the first time. The admission of three new members would undoubtedly add to the Executive Committee's effectiveness and make it more representative. Bangladesh had direct experience and firsthand knowledge of the refugee problem in all aspects. It had begun its existence as a sovereign State as the country of origin of over 10 million refugees and had thus had to contend on a priority basis with the formidable array of problems associated with their repatriation and rehabilitation. It recalled with gratitude the support it had received at that time from the international community in general and from UNHCR in particular.

84. Since then, it had twice been the country of asylum for a large refugee influx from Myanmar. The problem in the late 1970s had been satisfactorily resolved and Bangladesh was hopefully in the last phase of the repatriation of the over 250,000 refugees who had poured into Bangladesh in 1991 and 1992. Each time, its approach had been to seek an amicable solution, essentially through bilateral channels. UNHCR had, however, played a most positive and effective role as a facilitator. Bangladesh was thus in a good position to make a meaningful contribution to the work of the Executive Committee.

85. UNHCR was the lead United Nations agency responsible for assisting and protecting refugees. The nature and scope of the refugee problem had, however, changed greatly since UNHCR had been established against the backdrop of the cold war. There was thus an obvious need to look at the problems closely so that UNHCR could be equipped and attuned to the needs of the present time, which were the result not only of a different security environment and vastly increased numbers of refugees, but also of changing attitudes and perceptions of traditional States of asylum. The nature of UNHCR's intervention had also inevitably changed. Originally, it had assisted refugees in camps and had negotiated with host Governments and other concerned Governments regarding refugee protection and assistance and a durable solution to their problems. UNHCR was now concerned with the immediate needs of refugees and internally displaced persons under conditions of ongoing

conflict. In recent cases, armed humanitarian intervention had had to be mounted to supplement UNHCR's efforts in order to ensure the delivery of relief supplies. Today, there were 30 million internally displaced persons in the world as a result of savage, internecine conflicts. That number far exceeded the estimated 23 million refugees. Many traditional States of refuge or asylum, disconcerted or overwhelmed by the sheer numbers of refugees, were becoming increasingly restrictive in granting asylum.

86. The international community could naturally not use humanitarian assistance as a reason or pretext for not dealing with the root causes of conflict. Bangladesh therefore wholeheartedly endorsed the appeal made by the High Commissioner in 1994 for greater attention for the prevention and solution of refugee problems through a strengthened commitment to preventive diplomacy and mediation efforts and greater respect for human rights. Neglecting those aspects would mean addressing the symptoms and consequences of the problem and not its underlying causes and such an approach afforded no guarantee against a recurrence.

87. It was heartening that, in the 1990s, there had been such large-scale voluntary repatriations of refugees in a number of countries, including Cambodia, Mozambique, Afghanistan, El Salvador, Angola and South Africa. Prospects for additional mass repatriations were also favourable. Voluntary repatriation had obviously not been a preferred or even viable option during the cold war. Bangladesh agreed with the view that, where appropriate, problems in a country of origin should be dealt with urgently if they could reverse the trend of population displacement. It was clear, however, that the causes of forced migration could not properly fall within the mandate of an international humanitarian organization.

88. One of UNHCR's major constraints was funding. Except for administrative expenses, UNHCR depended on voluntary contributions and, during the present time of financial stringency, no other option was viable or attractive. There was, however, a clear need for greater operational flexibility and autonomy for UNHCR. It could not be emphasized too strongly that there was a need for the closest coordination possible between UNHCR, on the one hand, and selected NGOs and other United Nations agencies such as WFP, UNICEF, WHO, the Department of Humanitarian Affairs and human rights bodies, on the other. In post-conflict situations, collaboration with UNDP became very important. His country would like to see a further strengthening of UNHCR's capacity to procure, store and transport substantial quantities of relief assistance within a short time. In the longer term, UNHCR's capability for long-range planning, policy analysis and multisector programming could be further developed.

89. The problems of refugees could not be solved by any one State or even a group of States. The international community as a whole had to tackle them through the different United Nations agencies working in concert. The solution did not lie in the tightening of borders and more restrictions on asylum-granting procedures. What was called for was a consensus on how best to coordinate efforts through the United Nations system. As recognized at the inter-sessional meeting of the Sub-Committee of the Whole on International

Protection held on 21 June, the emphasis should be on a pragmatic and flexible approach that would allow for important differences on the ground rather than on the expansion of standardized legal frameworks.

90. His delegation paid tribute to the High Commissioner for her untiring efforts to protect and promote the legitimate rights and interests of refugees worldwide. Bangladesh would cooperate closely with her to strengthen the international refugee protection regime to which the international community aspired.

91. Mr. ABDELMONEIM (Sudan), speaking in exercise of the right of reply, said that he deplored the false accusations made by the representative of Uganda against Sudan and regretted that he had to take up some of the Executive Committee's precious time refuting them. It was out of place for the representative of Uganda to raise controversial matters which were being discussed bilaterally under the good offices of the President of the Republic of Malawi.

92. Sudan had already communicated irrefutable information to the Ugandan authorities on the military assistance which Uganda was providing to the Sudanese rebels, whose leader spent most of his time in Kampala. The Ugandan denials in that regard were therefore outright lies. The Ugandan Government denied the existence of an active rebellion against it in the northern part of Uganda and accused Sudan of being responsible for the disturbances taking place there. He had also been given to understand that the representative of Uganda had stated that Ugandan citizens were being ill-treated in Sudan, especially by Sudanese security forces, and that was quite wrong. Sudan had over 1 million refugees, including Ugandans, who had always received effective protection and benefited from satisfactory living conditions in the country's main towns, in the south and in Khartoum. Moreover, Sudan had already had occasion to protest to UNHCR about the ill-treatment of Sudanese refugees by the Ugandan authorities. Without going into the details of Ugandan violations of international instruments, he stressed that that country was a source of tension in the region.

The meeting was called to order at 6.10 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-sixth session

SUMMARY RECORD OF THE 501st MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 17 October 1995, at 10 a.m.

Chairman: Mr. LARSEN (Denmark)

CONTENTS

GENERAL DEBATE (continued)

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GE.95-03440 (E)

The meeting was called to order at 10.25 a.m.

GENERAL DEBATE (agenda item 4) (continued) (A/AC.96/845, 847, 850, 851, 852 and 855)

1. Mr. BERNARD (France), having congratulated the officers of the Executive Committee on their election and having welcomed Bangladesh, India and the Russian Federation as new members, said that his Government fully associated itself with the statement made at the opening meeting by the representative of Spain on behalf of the States members of the European Union.

2. In the past months, UNHCR's effectiveness had been put to the test especially in the Great Lakes region of Africa and in the former Yugoslavia. UNHCR had provided assistance to more than 2 million refugees and displaced persons in the Great Lakes region, where its role as key actor had been eloquently attested in the crisis brought about by the decision of the Government of Zaire to send back refugees from Rwanda and Burundi. The series of visits made by Mrs. Ogata had helped the parties concerned to realize the urgency of the problems and France encouraged UNHCR to pursue its endeavours. However, the threat to regional stability posed by the presence of more than 2 million refugees made it essential to address the fundamental issues and the participants in the Bujumbura Conference had therefore called for a conference on peace, stability and development in the Great Lakes region. His country was convinced of the need for a comprehensive approach to the core problems and of the usefulness of convening the conference, which should produce specific commitments and follow-up machinery.

3. France had worked with UNHCR in the former Yugoslavia to provide relief for more than 3.5 million refugees, displaced persons and others affected by the war. The international community had been faced with a major problem in delivering humanitarian assistance and, because of difficulties of access, the needs of the civilian populations had not been adequately met, particularly in the spring of 1995. His country, with its large peace-keeping contingent and its participation in the Rapid Reaction Force, had contributed to UNPROFOR action, with French planes serving to provide airlifts to Sarajevo and Belgrade for UNHCR. While humanitarian action alone could not solve all conflicts, France shared UNHCR's concern to integrate humanitarian aspects into the future peace agreement, which must in particular assure refugees and displaced persons the right of return and free choice of place of resettlement.

4. Another difficult task for UNHCR was to prepare for the conference on migration in the Commonwealth of Independent States and neighbouring countries. France recognized the need for a comprehensive approach to the issues of population displacement in the region and encouraged the principle of the conference. However, the conference should not go beyond the objectives of the exercise and discuss political problems that might jeopardize the credibility of its work. Also, it should be guided by existing legal concepts and not create new ones specific to the area.

5. Crisis situations generating refugee flows called for a global response based on solidarity. The response had to be global because the international community needed to act at all three levels affected by the crisis: as a last

resort, after diplomatic and humanitarian efforts, it had to assure protection for persons fleeing their countries, when the situation did not allow such protection to be provided locally. The response must also be based on solidarity, requiring all members of the international community to act on those same three levels, each according to its capacity. That was the principle of "burden-sharing" as reflected in a decision adopted by the European Union on 25 September 1995.

6. France had always been receptive to appeals made by UNHCR to host people caught up in persistent conflicts, who left their countries en masse. As previously in the case of Vietnamese and Albanian nationals, it had decided to respond positively to UNHCR's call to host new refugees from the former Yugoslavia. He could therefore confirm that France was prepared to receive up to 500 persons in a phased manner that would enable them to be accommodated effectively.

7. His country was furthermore ready to participate in a common discussion on the best ways of ensuring that kind of protection when the 1951 Geneva Convention was inapplicable because the persons concerned were seeking temporary protection urgently, but expecting to return home as soon as possible, and because the persecution with which they were threatened did not generally meet the criteria of article 1A of the Convention. States therefore had to be able, within the framework of their national legislation, to provide other forms of protection on a case-by-case basis. Thus, France not only refused to send persons fleeing conflict situations back to their countries, but granted "territorial asylum", which included the right to stay and basic medical and social welfare coverage, as well as access to work and social benefits in particular cases. That approach was crucial in enabling people to take shelter without a long-term stay being envisaged in the host country and, at the same time, it signalled the will of the international community not to accept or contribute to acts of intolerance or ethnic cleansing. His delegation looked forward to participating in the discussion on that topic and considered that, even if the variety of situations made the establishment of an international instrument inopportune, the discussion would enable countries to compare their experiences and review their national policies.

8. In that essential discussion, the Executive Committee must not forget the role of the 1951 Geneva Convention. In that regard, one of France's priorities was to develop a harmonized policy with its European partners. A new element in that policy was the Schengen Convention, which contained provisions relating to the determination of the State responsible for considering an asylum request and guaranteeing that every asylum-seeker's application would be examined on its merits, thus eliminating the problem of "refugees in orbit". That fundamental issue deserved UNHCR's attention in the context of Conclusion No. 58 adopted by the Executive Committee at its session in 1989.

9. Mr. ZAHRAN (Egypt) noted that the High Commissioner had provided an exhaustive overview of UNHCR activities and proposed a new comprehensive plan to deal with the problems of refugees and displaced persons worldwide. Under the present international circumstances, which were placing further burdens and setting increasing challenges, there was a need for full coordination between UNHCR and other bodies of the United Nations system, including the

Centre for Human Rights and the Department of Humanitarian Affairs, as well as with the International Committee of the Red Cross and the International Organization for Migration. The exacerbation of crises and massive population displacements, notably in Rwanda and the former Yugoslavia, made such coordination all the more essential if the international community was to provide effective protection for refugees and secure their basic human rights.

10. His delegation had listened with interest to the introductory statement by the Secretary-General of the Organization of African Unity, which reflected the gravity and magnitude of the problem of refugees and displaced persons in Africa. Those problems were adversely affecting the economic and social development process on the African continent, where there were now more than 6 million refugees. In the past year, there had been positive developments towards a solution of some of the problems in several African States, such as Mozambique, Liberia and parts of the Horn of Africa. International and regional efforts needed to be redoubled, however, to resolve the crisis in Rwanda and alleviate the sufferings of its people. In addition to those killed, some 4 million refugees and displaced persons had become the victims of that tragedy. Enormous efforts had been made by the international community to relieve their suffering and UNHCR's action must be continued in coordination with other organizations of the United Nations system and international agencies to improve operational efficiency and maximize the use of all available resources for the return and reintegration of the refugees and displaced persons.

11. Egypt commended the role of the human rights observers in Rwanda and wished to see more observers appointed to assist in promoting respect for human rights. Further efforts should be made to ensure that all war criminals were brought to justice and to provide the necessary conditions for refugees and displaced persons to return to their homes, thereby reducing the pressure on neighbouring States that resulted from the persistent crisis.

12. The Executive Committee had already heard an important statement by the representative of Zaire. Egypt, for its part, was continuing to work to alleviate the suffering of the people of Rwanda by offering the services of physicians and sending medical supplies.

13. Three resolutions concerning refugees had been adopted at the thirty-first session of the OAU in Addis Ababa in June 1995. One related to the holding of an international conference on refugees and displaced persons in cooperation with the OAU, UNHCR and other United Nations bodies; a second concerned refugees, displaced persons and returnees in Africa; and the third related to the holding of a regional conference to assist refugees, returnees and displaced persons in the Great Lakes region. Egypt hoped that cooperation between UNHCR and the OAU could be consolidated to ensure the necessary coordination for tackling refugee problems. The presence of the Secretary-General of the OAU at the current session would certainly contribute to that end. It was also important to ensure the implementation of the tripartite agreement between Rwanda, Tanzania and UNHCR for the return of refugees and the plan of action adopted at the Bujumbura Conference.

14. Egypt wished furthermore to express its appreciation for UNHCR's work as the humanitarian lead agency in alleviating suffering in the Balkans.

International political efforts had brought positive results making it possible to reduce tension and improve the situation of the civilian population and of Bosnian refugees, especially since 12 October, when a cease-fire agreement had come into force and the shelling of civilian targets had stopped. That process must continue and Sarajevo airport should be reopened for the delivery of relief supplies, thus facilitating UNHCR's task. Egypt hoped that all the parties, and especially the Bosnian Serbs, would honour their commitments and allow refugees and displaced persons to return to their homes.

15. International efforts had likewise brought optimism regarding a just political settlement in the near future. Egypt welcomed UNHCR's declared readiness to discharge its responsibilities in the process of giving effect to the peace agreements, where its implementing role would be no less important than the vital mission it had undertaken during the period of armed conflict in Bosnia and Herzegovina. Action should also be taken to bring war criminals speedily to justice so that the populations could return home and live together peacefully. For those unable to return, compensation should be made available for the losses they had incurred.

16. Egypt was continuing to provide humanitarian assistance to the war victims in Bosnia and was preparing to send new supplies to assist the Bosnian refugees in Tuzla and Bihac. The Egyptian people had responded generously to the campaign conducted by the national Red Crescent Society and arrangements were being made with the competent authorities for the supplies to be sent.

17. In conclusion, he commended the OAU Convention governing the Specific Aspects of Refugee Problems in Africa as a practical model for addressing the problem of refugees, particularly on the African continent. He also drew attention to the declaration on the protection of refugees and displaced persons in the Arab world prepared by a group of Arab experts meeting in Cairo in 1992. He hoped the declaration would be adopted and ratified by all Governments. The San Remo Declaration on respect for international humanitarian law also contained several recommendations of relevance to UNHCR's work and mandate and he hoped that those recommendations would be implemented.

18. Mr. NARAY (Hungary) said that he wished to pay tribute to the High Commissioner for her courageous leadership and uncompromising optimism in meeting the challenges of the largest refugee flows ever to confront the international community. As lead agency in international humanitarian assistance, UNHCR was continuing to implement the High Commissioner's strategy covering preparedness, prevention and durable solutions.

19. Curbing the current wave of mass forcible displacements meant addressing their root causes and strengthening international preventive efforts. Hungary firmly shared the High Commissioner's view that human rights violations were a major cause of the refugee phenomenon. That was the main lesson to be drawn from the four-year armed conflict in the former Yugoslavia. Measures to prevent, and political initiatives to settle, crisis situations had to be taken by the Governments that could do the most in their respective countries. International efforts and external humanitarian assistance had a complementary role, but did not diminish the responsibilities of the Governments involved.

20. More attention should be paid to prevention, including the use of existing mechanisms for international protection of human rights and for early warning of crisis situations. Prevention, however, also meant ensuring personal security and urgent humanitarian assistance for uprooted civilians. Hungary particularly welcomed efforts to strengthen collaboration with UNHCR and the increasing reliance on the United Nations human rights machinery to implement a sustainable humanitarian strategy for prevention, assistance and durable solutions. The High Commissioner's concept of a continuum from relief to post-conflict rehabilitation should help to promote viable reintegration in the process of social and economic recovery, which must be accompanied by longer-term efforts aimed at reconciliation and at restoring the rule of law, including institution building and rehabilitation.

21. In the context of massive population displacements and genocide, his country welcomed the establishment of the international tribunals as an effective means of bringing to justice those responsible for grave and massive human rights violations such as in Rwanda and the former Yugoslavia.

22. For the vast majority of refugees and displaced persons, voluntary repatriation in safety and dignity would be the most appropriate long-term solution. For many, however, voluntary return was a faint hope and temporary protection by host countries seemed in those cases to be the only possibility of survival, but such protection should indeed be temporary, giving UNHCR and the international community time to work out the modalities for voluntary repatriation. The principle of non-refoulement was a corollary to fundamental human rights principles and all States had a duty to uphold it. Hungary would continue to provide temporary protection for refugees staying in its country until UNHCR was ready to facilitate their repatriation, with the hope that conditions for their voluntary return would soon be met.

23. The tragedy in the former Yugoslavia, and especially in Bosnia and Herzegovina, was of grave concern to Hungary, which was continuing to give shelter to thousands of people fleeing war, ethnic cleansing, persecution and intimidation. Hungary was also gravely concerned that, in its immediate neighbourhood, the temporary settlement practices applied to Serbian refugees from the Krajina region adversely affected the Croatian and Hungarian minorities in Voivodina by upsetting the historic ethnic composition of the population. That practice was contrary to international law, particularly when conducted through force and intimidation. The settlement of refugees should avoid endangering the survival of ethnic communities and should ensure respect for the human rights and fundamental freedoms of all citizens, including minorities. Aware of the complex refugee situation and guided by humanitarian principles, his country had recently provided urgent humanitarian relief for refugees from the Krajinas.

24. Cooperation had been established between UNHCR and the Organization on Security and Cooperation in Europe (OSCE) to meet the challenges of the refugee situation. Joint efforts by the Hungarian Chairman-in-Office and the High Commissioner had resulted in a genuine relationship at both the political and the operational levels. The new consultative mechanism of target-oriented meetings had provided for regular dialogue and linkage between the prevention and conflict resolution processes and humanitarian operations. It was, however, essential that the OSCE mission to Kosovo, Sandjak and Voivodina

should resume its activities in accordance with the relevant Security Council resolution. OSCE could act as a strong partner of UNHCR in monitoring and reporting on the situation in the country and assisting in the reconciliation process at the post-conflict stage, promoting democratic institutions and the observance of human rights - including protection of national minorities and facilitation of the voluntary return of refugees.

25. There were now more than 8,000 persons from the former Yugoslavia enjoying temporary protection in Hungary, some 3,300 being in receiving centres and the rest accommodated privately. Between 1 July and 31 August 1995, temporary protection had been granted to more than 2,000 persons. It had recently become necessary to open a new receiving centre at Debrecen for more than 800 persons, mainly from Bosnia and Herzegovina. In all, his country had already received more than 1,000 Bosnian refugees in response to the special UNHCR appeal launched on 28 July 1995.

26. Funds allocated in 1995 by his Government for refugee accommodation and assistance totalled Ft 1 billion, of which about 60 per cent covered the costs of running refugee centres. UNHCR's total contribution from 1 June to year-end would reach US$ 1.9 million, part of which would be channelled directly through selected Hungarian NGOs. UNHCR's financial contribution in 1995 served principally to increase the monthly allowance distributed through local authorities only to privately accommodated refugees. Hungary's objective was to strengthen the capacity of refugees to become self-sufficient, irrespective of whether they would return home or stay in Hungary. Any UNHCR funds not utilized for that purpose would probably be channelled to the care and maintenance of the increasing number of refugees either accommodated privately or in centres.

27. In conclusion, he commended the noble efforts of UNHCR and other humanitarian organizations, NGOs, private charity organizations and their devoted staff who were bringing relief to millions of needy people in emergencies.

28. Mr. YONGJIAN (China) congratulated the Chairman on his election and welcomed the new members of the Executive Committee. He also thanked the High Commissioner for her instructive introductory statement.

29. Despite the tremendous efforts made by UNHCR and the international community and, although millions of refugees had returned home, the total population of concern to UNHCR was still 28 million. New, large-scale refugee movements had made the situation in many places even worse.

30. The Chinese Government had always maintained that, while refugees had to be given humanitarian protection and assistance, the root causes of the refugee problem had to be eliminated. Peace and development were the preconditions. At the international level his delegation advocated the principles of equality, mutual benefit, peaceful coexistence, the peaceful settlement of disputes and the establishment of a fair, equitable new international order. The economic and social development of developing countries should likewise be fostered.

31. Although the countries of Asia, Africa and Latin America were far from well off and were struggling to develop their economies, out of humanitarianism, they had taken in the majority of refugees in the world. China had always believed that international solidarity and shared responsibility should be the essential principles guiding the solution to the refugee problem. The entire international community should therefore continue to show its generosity by helping the developing countries, which had borne heavy economic burdens and social pressure, in their efforts to help refugees return home. Refugee problems, both old and new, should not be neglected.

32. Save in one region where the repatriation of non-refugees had been delayed owing to interference, the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA) had been progressing smoothly and should be completed in 1995. Effective measures should be taken to ensure that it was.

33. China believed that UNHCR should continue to adhere to its non-political, humanitarian principles and pursue its praiseworthy, unremitting efforts to alleviate the plight of the increasing number of refugees and displaced persons all over the world.

34. Since 1979, the Chinese Government had devoted substantial resources to the protection of 280,000 Indo-Chinese refugees in China. No durable solution to the problem had yet been found. China would give all possible assistance, with UNHCR's help, to arrange for those refugees to return home at an early date in safety and dignity and trusted that the countries of origin would discharge their responsibilities. It would also help refugees who wished to remain in China integrate into local communities. It would implement a naturalization programme in due course. It looked forward to continued assistance from the international community and UNHCR in that process.

35. As a token of its ongoing support for the efforts of UNHCR and the High Commissioner and in order to strengthen cooperation and facilitate the honouring of its humanitarian obligations the Chinese Government had agreed to upgrade the UNHCR mission in China to a branch office.

36. Mr. GYGER (Switzerland) drew attention to the need to implement the 1951 Convention and the 1967 Protocol and to reject any attempts at ethnic cleansing. Recent developments in the former Yugoslavia were hopeful signs that a peace settlement might be in the offing. It would have to take account of humanitarian issues, including immediate short-term needs and medium-term assistance with housing. Durable solutions had to be considered in order to promote the coordinated return of a large number of refugees and displaced persons in safety and dignity.

37. Switzerland would continue to take part in humanitarian efforts in those areas and to finance UNHCR programmes. It was also providing direct assistance through the Swiss Disaster Relief Corps, which would continue its rehabilitation and building programmes in Bosnia, Croatia and the Federal Republic of Yugoslavia.

38. The second crisis was in the Great Lakes region of Africa. Switzerland recognized the heavy burden which the presence of millions of refugees placed on the local population of the host countries in that region. Coordinated

efforts were vital in order to facilitate the refugees' return to their countries of origin in safety and dignity and to that end, it was essential to establish a climate of confidence based on respect for human rights, the rehabilitation of the judicial system and the improvement of social and economic reception facilities. He called for closer coordination among all concerned and the implementation of the Plan of Action adopted at the Bujumbura Conference.

39. Given the continuing existence of emergency situations in Africa requiring action by UNHCR, the financial resources devoted to that continent were entirely inadequate. That not only made it more difficult to supply assistance, but might also create dangerous gaps with regard to the protection of refugees and displaced persons. Attention should be given to that problem in the coming months.

40. As far as policy on international protection was concerned, the Swiss Government was of the opinion that priority should be given to regional solutions. National legislation had to be harmonized at the regional level to serve as a basis for reception strategies.

41. He had doubts about the effectiveness of overall guiding principles because codified rules might create a system that would prove too inflexible to cope with different kinds of mass exodus. A more practical, flexible regional instrument would be a more effective response.

42. In the past, UNHCR had played an active role in efforts to find regional solutions and was still doing so with regard to refugees, returnees and displaced persons in the CIS and neighbouring countries. IOM and OSCE were helping UNHCR in its efforts to gain a better understanding of the underlying causes of migratory flows and how to manage and prevent them more effectively. In that connection, he welcomed the excellent work being done by the secretariat of the Regional Conference which was to be held in 1996 and which should lead to the implementation of measures to prevent and control migration in the CIS region.

43. He also encouraged UNHCR to pursue its commendable efforts to help stateless persons.

44. Switzerland was pleased that UNHCR had consistently increased its operational emergency preparedness and response capacity. The creation of service packages had made good progress and UNHCR was to be commended on the excellent cooperation it had established with the Department of Humanitarian Affairs. The principle of complementarity had to be fully respected in that regard. Switzerland therefore urged UNHCR to continue the dialogue with its partners, particularly NGOs, and to help them improve their emergency response capacities despite administrative stumbling-blocks. UNHCR should maintain its policy of using local resources whenever possible and operational difficulties should not prevent it from considering ways of improving its relations with its implementing partners.

45. Switzerland congratulated UNHCR on the important contribution it had made to preparations for the recent fourth World Conference on Women, which had adopted a number of recommendations on refugee women. UNHCR had helped to

heighten general awareness of their specific problems and could take credit for having prepared the very useful guidelines referred to in the Beijing Declaration and Platform for Action. Human rights had to be secured to all refugees, especially women and children. The Beijing Conference had also recommended that women refugees should be consulted more on decisions concerning them. UNHCR had to take account of that important aspect in pursuing its commitment to women refugees.

46. He was pleased to note that the High Commissioner intended to improve UNHCR's management, boost its productivity and reduce costs.

47. In conclusion, he paid tribute to the courage and self-sacrifice of all those who often risked their life in order to help refugees. Like other humanitarian institutions, UNHCR was frequently faced with the problem of the safety of its staff in situations of open conflict. The personal commitment of the High Commissioner and her staff was a shining example and the Swiss authorities were determined to continue their support in the current difficult period.

48. Mgr. TABET (Holy See) said that his delegation had been greatly interested by the Note on International Protection (A/AC.96/850) and wished to draw attention to the need for further study of new principles for action in the event of mass influxes of refugees, so that States would be more committed to providing protection to those who needed it, without discrimination. The first principle should be that temporary protection should be given to prevent de facto refoulement and delays in the determination of refugee status. Well-trained staff were needed to ensure that refugee status was awarded fairly, and not according to political whims. The second principle was that the international community must take effective steps to assist internally displaced persons, the least protected category of refugees.

49. His delegation supported UNHCR's efforts to increase international protection against the background of the restrictive interpretation sometimes placed on the 1951 Convention and the 1967 Protocol, especially on the provision relating to "a well-founded fear of persecution", and to study practical ways of strengthening and clarifying the foundations of such protection.

50. In view of the alarming situation in which many refugees and displaced persons, especially women, children and the elderly, found themselves and the difficulties of ensuring not only their protection, but also their survival, more was needed than mere accession to the relevant international instruments; first and foremost States had to honour the commitments they had entered into at the time of accession. However, even that was not enough. Assistance, prevention and repatriation in safety also required global cooperation and burden-sharing at the regional level.

51. Clearly, social, economic or political factors could influence the actual response of States and their ability to take in refugees. Nevertheless, principles and measures designed to increase protection would be illusory without the political will of States.

52. It would therefore be important to have a more accurate picture of needs if the international community was to be persuaded to contribute to the requisite practical solidarity and to show the necessary resolve, without which UNHCR could not operate efficiently.

53. More effective protection was a major challenge. In view of the dangers threatening the lives of human beings, those in charge of protection needed mandates worked out with UNHCR which would enable them to end dramatic situations and thus prevent a massacre and an exodus. He wondered whether the current confusion between the military and humanitarian sectors could have been avoided if terms of references had been clearer.

54. Rehabilitation, reconstruction and reconciliation were necessary in the refugees' countries of origin if repatriation was to be truly voluntary. The information campaigns referred to in the Note on International Protection would be meaningful only if returning refugees were advised and accompanied by international observers until their safe settlement was guaranteed.

55. The obvious purpose of peace-keeping efforts after a conflict was to establish an effective system of human rights, institutions guaranteeing the rule of law, including an independent judiciary, and a responsible system of public administration.

56. Impartial justice was the cornerstone of reconciliation and the establishment of genuine peace. Thorough reconciliation also required the active participation of persons whose fundamental rights had been infringed. His delegation supported the efforts being made by the United Nations to arrive at internationally negotiated and approved measures concerning States which not only produced refugees and internally displaced persons, but which continued to disregard basic protection measures.

57. The Holy See and the entire Catholic community throughout the world was deeply devoted to the cause of refugees and was endeavouring to alleviate the sufferings of victims and to solve the many day-to-day problems raised by the tragic situations with which the international community had to deal.

58. It was comforting to note that the world looked at those situations with compassion and that there were so many magnificent examples of human solidarity. He hoped that that solidarity would be strengthened so that the world could meet the challenge it faced. That solidarity was a source of hope and peace for all of mankind.

59. Mr. KOLOSSOVSKY (Russian Federation) said that the situation of involuntary movements of people in the territory of the former Soviet Union was one element of the world's current refugee crisis. His Government's increased cooperation with UNHCR during the past three years had helped the international community understand the prospects for a comprehensive solution to involuntary migration problems in the region of the Commonwealth of Independent States (CIS). Major steps had been taken in summer 1995 to implement the recommendations made at the Executive Committee's last session on the proposed regional conference on the problems of refugees and other migrants in the CIS and neighbouring States. UNHCR, together with the International Organization for Migration (IOM) and the Organization on

Security and Cooperation in Europe (OSCE), should turn towards the real problems of the region, endeavouring to find innovative approaches to the involuntary mass influx of refugees and combining international efforts with national measures.

60. His Government was taking many steps to protect refugees and involuntary migrants, including under the auspices of the Federal Migration Service. It took practical steps to comply with its obligations under the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees. It had established a legislative basis, a mechanism for determining status, infrastructure, a system of territorial bodies within the Federal Migration Service and immigration control. Some 1,500 applications for asylum had been considered over a period of a year and a half, with the status of more than half a million immigrants in the territory of the Russian Federation to be determined in the near future.

61. Another challenge was to provide assistance to the involuntary migrants who had moved to Russia from the CIS countries, estimated to number nearly 2.5 million. Providing for their needs and for their temporary and permanent accommodation placed a heavy burden on the federal budget and social infrastructure. It was estimated that their numbers would reach 3.5 million by the end of the century.

62. The third problem was internally displaced persons, who had had to leave their homes as a result of emergency situations and conflicts. In Chechnya alone, there were up to 400,000 such persons, including 100,000 children. The problem of transit migrants was also painful for the Russian Federation. Unfortunately, the efforts to accommodate them in third countries had not met with positive results. He hoped that the UNHCR mandate would serve as a basis for ensuring the success of such efforts.

63. With regard to the situation in the former Yugoslavia, his Government welcomed the statement made by the President of the Security Council on 3 October 1995 and confirmed the inadmissibility of the forced return of refugees, which would be in violation of the fundamental principle of non-refoulement contained in the 1951 Convention. He stressed the need for providing refuge to all people in flight, irrespective of their origin, and supported UNHCR's efforts to elaborate a strategy of return and reintegration of refugees and displaced persons within the framework of its post-peace settlement activity in the former Yugoslavia. UNHCR must enhance its emergency preparedness potential. During the past two years, EMERCOM, a Russian Government agency, had contributed to UNHCR operations in Rwanda, the former Yugoslavia and the northern Caucasus and the scope of that cooperation might be extended. The recently created national emergency humanitarian response corps could be useful for that purpose. Russia stood ready to increase its cooperation with UNHCR on its priority programmes and activities, particularly in the former Yugoslavia and in Central Africa. The use of human rights monitoring to prevent and avert crisis situations should be enhanced in order to allow for the early planning of UNHCR humanitarian actions.

64. Mr. TABESH (Islamic Republic of Iran) said that the majority of refugee caseloads now appeared in the world's less developed countries. The root causes of the refugee problem were war, social inequities, weak and fragile

socio-economic infrastructures and the increasing development gap. The unprecedented increase in refugee numbers demonstrated the inadequacy of existing approaches, instruments and resources of the international community to address the issue. The phenomenon should be tackled from a different angle in the light of present circumstances and an appropriate solution should be found.

65. Iran proposed the establishment of an open-ended working group, consisting of Executive Committee member countries, to deal with all the root causes of the refugee problem. Secondly, the international nature of the refugee problem should be defined more broadly in the light of the principles of international solidarity and burden-sharing, which bound all members of the international community to take joint responsibility for refugees in order to lessen the burden on the developing world. As stated in the 1951 Convention, "the grant of asylum may place unduly heavy burdens on certain countries" and yet international cooperation to ease that situation had not been fully achieved. The countries receiving thousands of refugees were being given only limited international assistance. The UNHCR secretariat should prepare a report on the real needs of refugees in today's world and on the international resources actually made available for them. Such a report could serve as the point of departure for an assessment by the international community of its responsibility and functions.

66. Thirdly, it was always useful to view the whole set of international instruments on refugees in the light of prevailing circumstances and realities. All the factors that forced people to leave their homelands should be analysed comprehensively and a lasting solution sought. His Government also proposed that the participation of NGOs should be intensified to bridge the gap between refugee needs and international resources; that active participation in the reconstruction of economic infrastructures should be promoted where poverty and the lack of development had given rise to new influxes; that there should be greater flexibility in the use of international resources for refugee host countries; and that voluntary repatriation should be encouraged.

67. The fact that, over the past several decades, his region had been a source of major influxes of refugees, particularly to Iran, had created a number of new financial constraints on his country, introducing new demands on the already scarce resources available for post-war reconstruction. Afghanistan and Iraq were faced with various domestic and international crises and their populations were encumbered with enormous problems arising from conflicts, which led to a desire to take refuge in neighbouring countries. Recent fighting among various factions in Afghanistan had resulted in the closure of all existing border stations in the south-west, especially in Harat, Farah and Nimrouz provinces, through which the Afghan refugees had been repatriated. As a result, the repatriation operation, which had been based on the agreement of the Tripartite Commission comprising Iran, Afghanistan and UNHCR, had almost ceased, and only 140,000 refugees of a projected 500,000 had been repatriated. As the 1995 repatriation programme had not met its target, the proposed 1996 budget for General Programmes should be reviewed so as to respond effectively to the emerging needs of Afghan refugees in Iran. Efforts should also be made to establish a flexible modality for using resources

allocated to the repatriation programme for care and maintenance under the General Programmes. It was also important to prepare contingency plans for a potential new influx of millions of refugees in the region.

68. Iran had been host to more than 4.5 million refugees over 16 years. Refugees in Iran were not confined to refugee camps and were also provided with shelter, employment, education and health care. In addition to providing for the refugees' basic needs, the country had also paid a great price as a result of the environmental degradation of areas where refugees had been given shelter; the 700,000 employment opportunities of which Iranian citizens had been deprived; annual expenditures of some $700 million on refugees, either directly or indirectly; problems arising from the dual citizenship enjoyed by some refugees; the illegal transfer of foreign currencies; and drug trafficking. Although about half the refugees had voluntarily returned to their homelands, almost 2.1 million of them were still in Iran, putting that country high on the list of host countries. At present, there were 1,456,302 Afghan refugees and 598,750 Iraqi refugees in Iran. Since the start of the repatriation operation, 1,327,798 Afghan refugees had returned to Afghanistan, 554,717 of whom had received assistance from UNHCR and the World Food Programme (WFP). In addition, Iran hosted about 48,000 displaced persons of other nationalities.

69. Despite the limited international assistance available to refugees in Iran, the Government had done its utmost to discharge its moral responsibilities towards them. Among its concerns were that UNHCR's assistance to refugees in Iran was not proportionate to the number of refugees and the diversity of their needs. Accordingly, the proposed annual budget for Iran should be reviewed. The international community should spare no efforts to bring peace and stability to Iran and the necessary priority should be given to restoring basic services and reconstructing the economic infrastructure of Afghanistan so as to facilitate the repatriation process. Preventive policies should also be formulated in order to address the root causes of the refugee problem.

70. His Government had always welcomed the participation of NGOs in the alleviation of the human suffering of refugees, but despite its readiness, its call for partnership had not received a substantive positive response. Iran welcomed any initiative to hold a regional conference on solutions to the refugee problem in south-west Asia and central Asia. There were many refugees in Iran who sought resettlement in European countries. His Government hoped that, based on the notion of burden-sharing, their requests would be positively reviewed. UNHCR should also request European countries to receive some of those refugees.

71. Mr. MEGHLAOUI (Algeria) said that there were lessons to be learned from UNHCR's experiences, notably in Rwanda and the former Yugoslavia, about its assistance and response capacity. Such an exercise should be undertaken with the necessary caution so as to reach conclusions and possible decisions in the service of the humanitarian cause, which it was essential to protect from any sort of manipulation.

72. In the light of the tragedies in those countries, ideas had been put forward for preventive diplomacy mechanisms and an early warning system. It had also been suggested that the High Commissioner's functions could be strengthened; that a direct link should be established between peace-keeping operations and questions of refugees and displaced persons; and that there should be free access to the areas where refugees and displaced persons were living. While all those ideas were important and merited attention, they should receive in-depth consideration before the Executive Committee could decide on their suitability. By way of example, he referred to the notion of prevention, which would take the form of a set of preventive measures against particular risks. Who would evaluate the risks, however? With what parameters? Would the evaluation be carried out at the national, regional or international level and on the basis of what agreement? How could it be ensured that the operation would not have an adverse impact, such as frightening the population, thereby aggravating one or several of the risks that attempts were being made to avoid? The best preventive measure was still development. Once populations had opportunities and once they had work and were able to provide for their own needs, they would not suddenly lose the will to live together, only to launch themselves into undertakings that always led to tragedy.

73. Basic humanitarian rights must be respected and each State must help the High Commissioner in fulfilling her mandate with regard to international protection, and that meant finding durable solutions to the problems of refugees. In that regard, the best possible durable solution was incontestably voluntary repatriation, in dignity and safety or, in other words, resettlement and reintegration of refugees in their country and place of origin. He wondered whether the basis on which UNHCR exercised its right of international protection was sufficient or whether it should be broadened. Even if that were desirable, however, the idea would not be practical in the current international situation, which was characterized by a tendency to fall back on existing legal instruments and interpret them strictly. Even temporary protection was subject to risks that had already demonstrated its limits. UNHCR's international protection regime must be maintained. In no case should it be subject to manipulation for non-humanitarian purposes. Populations displaced within their own territory remained under the protection of their State. Internal conflicts were too complex for UNHCR to get involved in them without taking precautions, the foremost of which were to obtain the approval of the authorities of the country concerned for any undertaking and to obtain their cooperation so as to ensure success.

74. In the same vein of wishing to protect the international protection regime and the right of asylum from any manipulation for non-humanitarian ends, he drew the Executive Committee's attention to the abusive exploitation of certain situations to encourage the exile of intellectuals and valuable executives. Apart from the fact that that practice introduced selectivity into the granting of the right of asylum, it was harmful to the countries thus deprived of human resources that were greatly needed for development. There was a propensity among certain countries to grant the right of asylum very easily, if not too easily, to persons wanted by the law and who had often been convicted by their countries of criminal acts.

75. Algeria would continue to provide assistance to persons seeking refuge in its territory. UNHCR should increase the assistance granted to Saharan refugees in order to meet their vital needs. The legitimate national aspirations of the people of Western Sahara could never be snuffed out. The international community should mobilize itself to mitigate their sufferings and exert the necessary pressure on the occupying Power to begin direct negotiations without delay. As to the displaced persons from Mali and Niger who were currently in southern Algeria, he was happy to announce that the situation had greatly improved. The Algerian authorities had built and outfitted four reception centres in the prefectures of Tamanrasset, Adrar and Illizi. Several thousand persons had already moved to those centres, which met internationally-accepted standards. The Tripartite Commission on repatriation, comprising Algeria, Mali and UNHCR, had decided to organize a pilot repatriation programme for around 1,200 to 1,500 persons. The Algerian authorities, the Algerian Red Crescent and the National Foundation for the Promotion of Health and the Development of Medical Research had been ready to begin the repatriation operation in September, which was the best season because of the state of the pasture land, given that the persons concerned were herders. He hoped that UNHCR would be able to complete the required formalities so that the operation could begin without delay.

76. Mr. KHALID (Pakistan) congratulated the new members of the Executive Committee, Bangladesh, India and the Russian Federation, on their election and said that his delegation was proud of the outstanding contribution made by Mr. Kamal as Chairman of the Executive Committee at its last session. He also commended the High Commissioner on the comprehensive account of the world's refugee situation which she had provided in her introductory statement.

77. The Executive Committee was well aware that Pakistan had been extending full moral and material support to the 1.5 million Afghan refugees on its soil, a task that would have been impossible without the humanitarian assistance of the donor community, channelled principally through United Nations agencies. However, Pakistan's task was made more difficult by the discontinuation of the World Food Programme's distribution of food assistance and the phasing out of the care and maintenance operation by UNHCR. It was unrealistic and illogical to link humanitarian assistance to self-reliance and nutritional level and he reiterated his Government's firm conviction that the Afghan refugees remaining in Pakistan deserved international assistance until their voluntary, honourable and planned repatriation to their homeland.

78. The durable solution to the problem of the Afghan refugees lay in their early return to their homeland. However, not only was the pace of repatriation from Pakistan discouragingly slow, but 200,000 new refugees, 70 per cent of whom came from peaceful areas adjacent to Pakistan's border with Afghanistan, had recently arrived. He urged the international community not to be misled by a mistaken belief in the absorptive capacity of Pakistan's economy, but to focus its efforts on encouraging the return of refugees, whose continued presence, in conjunction with reduced assistance, could lead to a social upheaval with serious consequences for Pakistan's economy and society.

79. The Government of Pakistan fully supported UNHCR's efforts at reconstruction and rehabilitation in the peaceful areas of Afghanistan. Those

efforts were essential to create conditions for the repatriation of refugees, although they should not be financed by reducing humanitarian assistance for Afghan refugees still living in Pakistan. There had to be a logical link between reconstruction activities in Afghanistan, repatriation of refugees and the reduction of humanitarian assistance.

80. Enormous ecological damage had been caused in Pakistan by the prolonged presence of millions of Afghan refugees, as early as 1989-1990, a UNDP survey had estimated the cost of rehabilitating some areas at US$ 208 million. The failure of the donor community to provide the requisite financial assistance meant that the damage was increasing every day. In that connection, he expressed Pakistan's gratitude for the income-generating projects carried out under the aegis of the World Bank in the affected areas, although that modest effort was coming to a close and the Government of Pakistan looked to UNHCR for financial support to ensure its continuation. The creation of peaceful conditions inside Afghanistan, in which UNHCR could play a role by motivating the donor community to provide the necessary resources for reconstruction and rehabilitation, was the surest way of promoting the repatriation and speedy rehabilitation of Afghan refugees not only from Pakistan, but also from Iran.

81. His Government appreciated the international humanitarian assistance provided through UNHCR, although it was convinced that a drastic reduction in or capping of that assistance would be premature and might be reconsidered. He urged UNHCR and WFP to continue their care, maintenance and feeding programme for the Afghan refugees in Pakistan until their voluntary repatriation. He also called for sufficient funds for the rehabilitation of the areas that had suffered ecological damage as a result of the presence of refugees and appealed for efforts to create peaceful conditions inside Afghanistan to promote the speedy rehabilitation and mass repatriation of Afghan refugees, in conjunction with a strategy to encourage the repatriation of refugees from peaceful areas adjacent to the Pakistani border. He also urged that priority should be given to rehabilitating the internally displaced Afghans located in camps close to the Pakistani border in their home town, in order to reduce the likelihood of fresh arrivals of refugees in Pakistan.

82. The conflict in Afghanistan had been the last encounter of the cold war. While responsibility for establishing peace lay with the Afghans themselves, the world community was under a moral obligation generously to respond to the plight of the people of Afghanistan, in particular of the Afghan refugees, to help them rebuild their shattered lives and their war-torn country. He was confident that the international community would continue to play its generous role until all Afghan refugees had returned to their country in honour and dignity.

83. Mr. MAELAND (Norway) expressed his Government's deep appreciation to the High Commissioner and her staff for their work and extended a welcome to Bangladesh, India and the Russian Federation as new members of the Executive Committee. It was a paradox of the times that global challenges continued to grow while the United Nations family of organizations was being asked to do more with fewer resources. The scope of the global challenges was nowhere more evident than in the huge rise in demand for humanitarian operations during the first half of the 1990s.

84. The Executive Committee was meeting against a background of both good news, exemplified by the hopes of peace in the tragic conflict in Bosnia and Herzegovina, where humanitarian operations had saved the lives of millions, and bad news, typified by the failure to settle existing conflicts such as that in the Great Lakes region of Africa and in the former Yugoslavia. The number of persecuted and impoverished human beings continued to grow while the complexity of humanitarian operations, in conjunction with the financial crisis of the United Nations, meant that humanitarianism was returning to its basic task of protection, the need for which was nevertheless expanding. His delegation had listened with interest to the High Commissioner's lucid and convincing presentation of the challenges which faced her Office and were also the challenges of the international community. Norway was proud to work closely with the High Commissioner, her staff and other interested delegations to improve the management and governance of UNHCR.

85. The High Commissioner had emphasized the important links between preparedness, prevention and solutions, which necessitated comprehensive approaches some of whose facets often required action beyond the domain of UNHCR, although humanitarian action could also be an important confidence-building measure. UNHCR's primary contribution should be of a catalytic and collaborative nature, embracing political mediation, human rights efforts and participation in peacekeeping, to which Norway had contributed and in which UNHCR had been an invaluable partner.

86. He emphasized the importance of access in humanitarian action and called on all parties to conflicts to respect international humanitarian law and to enable UNHCR to facilitate its humanitarian effort to help people in need. Respect for human rights by the country of origin was of paramount importance in addressing the root causes of refugee movements and his delegation appreciated the High Commissioner's continued efforts to raise awareness of protection issues in human rights fora.

87. The primary focus of a comprehensive refugee policy should be protection, although, in view of the limited resources, innovative approaches were necessary in order to move towards cost-effective solutions to help as many people as possible. Norway had introduced the concept of temporary protection, in close consultation with UNHCR, as an integral part of its refugee policy. Temporary protection aimed to ensure basic legal standards on a non-discriminatory basis to its beneficiaries, while maintaining repatriation as its ultimate goal. Repatriation was indeed the best durable solution to refugee problems and the facilitation of repatriation was an important component of a comprehensive refugee policy. Norway supported UNHCR's efforts to obtain guarantees on safety for returnees.

88. Resettlement was an appropriate solution when all other means of protection had been exhausted. Norway had consistently reacted positively, in cooperation with its Nordic partners, to appeals from UNHCR for resettlement and looked forward to continuing its discussions with UNHCR on the tool of resettlement in a broader context. The complexity of comprehensive operations meant that better inter-agency cooperation and coordination were essential and Norway welcomed UNHCR's contribution to the inter-agency process coordinated by the Department of Humanitarian Affairs. He also emphasized the importance of implementing the Economic and Social Council's decision on the need to

review the capacity of the United Nations in the area of emergency humanitarian assistance, which also required the resources and commitment of non-governmental organizations, through the Partnership in Action process.

89. Lastly, the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women contained important provisions on refugee women and displaced women. The challenge now was to ensure that the calls for action were carried out. He welcomed the report on the Implementation of UNHCR's Policy and Guidelines on Refugee Children (EC/SC.2/78) and noted with appreciation the wide range of protection and assistance activities which were reflected in it and which Norway would continue to support strongly.

90. Ms. BAUTISTA (Philippines) welcomed the new members of the Executive Committee, the Russian Federation, Bangladesh and India, and thanked the High Commissioner for her statement. UNHCR had once again risen to meet the even more daunting challenges it faced and she paid particular tribute to those in the field who daily faced danger and insecurity.

91. Her delegation echoed the call for closer international cooperation and coordination of activities between United Nations agencies, international organizations and non-governmental partners in responding to humanitarian emergencies. It also supported the moves to delineate UNHCR's involvement in migratory movements other than those defined in the refugee conventions, as well as the emphasis on temporary protection as a necessary humanitarian response, with repatriation and return as the objective durable solution. Her delegation particularly supported UNHCR's efforts to integrate concern about sexual violence against women refugees into its programmes.

92. The Philippines was fully committed to the conclusion of the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA) by 31 December 1995. However, her delegation was concerned that CPA was far from being fully implemented and that large numbers of those found to be non-refugees remained in first asylum camps in the region, with dim prospects for their voluntary return by the deadline. In the Philippines, there were some 2,600 Vietnamese in the Philippines First Asylum Camp, as well as a further 400 who had been brought to the country for processing under the CPA Orderly Departure Programme, with the United States as the receiving State, and who had subsequently been found ineligible for final resettlement in the United States. She requested the international community's assistance in urging the receiving State and the country of origin to come up with an immediate solution to that problem.

93. Her delegation was pleased to hear that transitional arrangements were envisaged for those remaining in first asylum camps, in recognition of the difficulties encountered in concluding CPA successfully. Her delegation was also grateful to Japan for its plan to allocate US$ 10 million for Asia which should go a long way towards finally solving the CPA problem.

94. Her delegation was, however, not clear about the transitional arrangements that were envisaged and about the implications of the smooth conversion of the operation into a migration programme. In its view, the only viable solution for the Philippines was resettlement for the refugees and repatriation of those considered to be non-refugees. Local integration was

not a feasible solution for the Philippines and her delegation agreed with the position expressed by the United States that return home was the sole remaining option for those now in camps in South-East Asia who had been found not to qualify as refugees. Any transitional arrangement, pending the final conclusion of CPA, should fully involve the CPA members and UNHCR.

95. UNHCR had reported that the numbers of Vietnamese opting for voluntary return had decreased in 1994, a trend that was due to developments outside the competence of the countries of first asylum in the region. The countries concerned should assume full responsibility to ensure that commitments under CPA were fully met. CPA had shown the way for durable solutions for asylum-seekers elsewhere through innovative programmes, in particular the voluntary repatriation process. The success or failure of CPA was a measure of the success or failure of UNHCR and of the international community to find permanent solutions to that universal problem and would be keenly observed by countries of first asylum everywhere.

96. The Philippines had and would continue to live up to its commitments as a signatory to the international refugee conventions. She recalled that her country had been cited by UNHCR for its humanitarian response to the plight of the boat people and that it had also participated actively in the search for innovative solutions to the problem posed to countries of first asylum by the continued presence in their territories of non-refugees. It would continue to offer solutions and was preparing a proposal which was to be discussed by the CPA partners and whose effective implementation would nevertheless require international cooperation.

97. Mr. MOHAMMED (Nigeria) paid special tribute to the High Commissioner for Refugees for her exemplary concern for humanity and insuperable devotion to duty. She was a source of pride to women all over the world.

98. The previous 15 months had seen a dramatic increase in the number of refugees, which had been swollen by some 2 million as a result of the Rwanda genocide and the conflict in Burundi. The brunt of African refugee problems had been borne by the countries of asylum, which, despite their own poverty, had borne the enormous cost of harbouring refugees and deserved to be commended. The main concern at present was to address the humanitarian needs of the refugees and displaced persons so as to alleviate their suffering, while exploring lasting solutions in order to solve the root causes of refugee flows.

99. Recent events had suggested that traditionally hospitable States were becoming weary and had indicated that asylum States, particularly in Africa, required assistance to enable them to cope with their heavy burden. Refugees should not be discriminated against because they came from a region without strategic importance. There should be a fair and balanced approach to dealing with all refugees, regardless of their place of origin, and assistance to refugees in Africa should be commensurate with their number and needs.

100. The deteriorating conditions of refugees and the continuing increase in their numbers stemmed from internal political problems, abject poverty and underdevelopment. The root causes of refugee crises, including ethnic and racial intolerance and political persecution, had to be addressed, for,

otherwise, there could never be a durable solution to those crises. Efforts were being made in Africa to address the political conditions that produced refugees and the OAU had established a mechanism to prevent conflicts and build peace. However, that mechanism needed financial resources and international assistance if it were to succeed.

101. UNHCR's primary function was to provide international protection for refugees and displaced persons, involving the application of laws and humanitarian principles to guarantee and promote their rights, security and welfare. Protection for refugees should extend from their initial flight and encompass both the emergency and stabilization phases. His delegation commended States that had granted temporary asylum to many refugees, although it was concerned about the threat to the security of refugees in States of asylum and strongly supported the principle of non-refoulement and condemned the forced return of individuals at risk. Member States should continue to receive refugees and ensure their protection, in accordance with accepted international principles, and States' national laws and legislations should be in conformity with international humanitarian law.

102. His delegation was concerned about the constant armed attacks on refugee camps; such attacks were a gross violation of international law that should be addressed by the international community. The personal security of refugees was the responsibility of all and States should do everything in their power to provide effective physical protection for refugees and aid workers.

103. The structure for a lasting peace in Liberia had been erected in Abuja, Nigeria, in August 1995. The international community should assist in the repatriation of Liberian refugees and in the reconstruction of Liberia so as to enable peace to take root and endure. In addition to spending millions of dollars on maintaining peace in Liberia, Nigeria had given financial as well as material resources to the refugees who had sought asylum in Nigeria or in other African countries. Nigeria's National Commission for Refugees had spent approximately 5 million naira on meeting the needs of refugees and on enabling them to develop self-sufficiency in food. It had also sent a contribution of US$ 50,000 to the UNHCR Office in Geneva.

104. In view of the fact that women and children accounted for approximately 80 per cent of refugees, Nigeria intended to introduce a programme designed by Nigeria's first lady for the socio-economic advancement of women and the family. The Family Support Trust Fund would not only improve the economic well-being of refugee women, but also prepare them for resettlement in their own countries. Resources allocated for the education of refugee children were an investment in their future and should receive more attention from UNHCR.

105. Lastly, Nigeria acknowledged the valuable efforts of UNHCR and believed that it should be strengthened to enable it to increase its protection activities following voluntary repatriation.

The meeting rose at 1.10 p.m.